INDIAN RECORDER

JULY—SEPTEMBER 1932

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CHRONOLOGICAL

JULY 1, 1932.

Indian—The Bengal Municipal Bill, 1932, is now said to be ready for the Legislative Council in August, 1932. Rioting continues unabated in Bombay, necessitating firing by Police. Notifications of Provincial Governments appear extending the scope of the Special Powers Ordinance to various districts mentioned therein. The Bombay Presidency Association in a meeting protests against the new Ordinance. The total number of arrests in connection with the holding of the Nadiad District Political Conference is about 1,000.

Foreign—In view of the Irish Free State refusing to make land annuities payments, a Bill is to be brought before Parliament to impose duties on certain imports from the Free State The British Government decide to convert the £2,000,000,000 War loan from 5 to 3½ per cent.; to help the conversion, the Bank Rate is reduced to 2 per cent. from 2½ per cent. Charges of £13,000,000 in connection with the Indian Military forces employed in the Great War are to be borne by Indian revenues. The London Chamber of Commerce approves a scheme that claims to abolish the necessity for making international payments by means of gold shipments. The International Oil Conference, now being held in Paris, is expected to result in a world agreement with the purpose of securing a rise in oil prices. A message from the Siamese Foreign Minister to the Consul at Rangoon gives details regarding the recent rebellion in Siam.

JULY 2, 1932.

Indian—As a sequel to the postponement of the meeting of the Executive Board of the All-India Moslem Conference, Moulana Shafi Daudi (Secretary) resigns. It is officially explained that the adoption by Parliament of the resolution relating to India's War-gift to Britain imposes no new burden on Indian finances. The Government of Assam refute the allegations made against their opium policy in an anonymous leaflet issued by the Congress. The police twice opened fire on riotous mobs in Bombay where communal fighting still continues. Seven persons are convicted under the Ordinance in the Karachi Conspiracy Case. The Committee of the U. P. Liberal Association regret the decision of His Majesty's Government to abandon the Round Table Conference.

Foreign—The Colonial and Dominion Governments are reported to have been consulted by Britain regarding a trade policy for submission to the Ottawa Conference. Mr. Roosevelt is nominated Democratic candidate for the U. S. Presidency.

JULY 4, 1932.

Indian—Following an ugly turn in the riot situation, a company of the Royal Irish Fusiliers is called out in Bombay. The main findings of the Sind

Conference, from the report of its Chairman, Mr. B. F. L. Brayne, are published. The Budget estimate of the Baroda State for 1931-32 shows an anticipated surplus of Rs. 17 lakhs. Rt. Hon. Srinivasa Sastri declines invitation to serve on the Consultative Committee.

Foreign—In the House of Commons, Mr. Thomas reads the despatch from Mr. de Valera in which the Free State President state that he stands by his decision against an Empire tribunal; also that he intends to dispute every one of the payments due from Ireland on the ground that the burden is too heavy for the people of Ireland to bear. The Germans raise objections to the Five-Power Plan regarding Reparations payments. A White Paper notifies the continuation, for a further period, of the existing temporary duties of iron and steel products and certain changes in other duties. A full and connected account of the bloodless revolution in Siam which is now available gives a description of the preliminaries leading upto the arrest of members of the Royal Family and the full significance of the revolution. The depreciated yen and the low silver exchange assist Japanese textiles to compete successfully in the world's markets.

JULY 5, 1932.

Indian—A preliminary forecast of the area under jute in Bengal, Bihar and Assam is published. A Bombay Committee urges the establishment of sugar factories in the Nitra right bank canal area in the Deccan. The Home Member to the Bombay Government discusses the riot situation with civil and military officers and leading citizens of Bombay.

Foreign—Replying to a question in the House of Commons, Sir Samuel Hoare declined to commit himself as to the date for the establishment of the Joint Committee on the Federal Constitution. The leader of the new Independent Labour Party issues a manifesto supporting India's right to complete independence. The Secretary of State for India states in the House of Commons that upto the present Rs. 5,000 has been allowed in respect of Mr. J. M. Sen Gupta. Mr. de Valera's note and Mr. Thomas's statement in the Commons create keen anxiety in business and political circles in the Irish Free State. Mr. V. J. Patel's visit to Dublin is believed to be in connection with the transfer of Indian Students from England to the Dublin University.

JULY 6, 1932.

Indian—A meeting of the Round Table Conference delegates will be held in Bombay on Saturday (July 9), and there is a talk of non-co-operation as the result of the new procedure in connection with the India Reforms recently outlined by the Secretary of State in the House of Commons. A special Conference of the Andhras held at Berhampore (Ganjam) on July 3 last is reported to have strongly protested against the recommendations of the Orissa Boundary Committee.

Foreign—The Cunard Company claim that the experiment of using the new colloidal fuel on one of their liners has been entirely successful. The British Government, it is stated, will continue to work for the integrity of the Chinese Customs Service in Manchuria. Large offerings of Russian wheat at low prices cause a slump in London and Liverpool wheat options. An uncompromising attitude by the French Premier is said to be endangering the state of the Reparations Conference at Lausanne.

JULY 7, 1932.

Indian—The political situation in the Madras Presidency during the second half of June last is officially reviewed. The consideration of the Bengal

Municipal Bill by the local Council cannot be postponed, says the Hon. Mr. B. P. Singh Roy, Minister, in reply to a deputation in Calcutta. The communal riot toll in Bombay uptodate, since the first outbreak in May, is given as 112 killed and 2,700 injured. Bombay brokers, impatient of the Congress ban, are said to be contemplating the re-opening of the various markets. Mr. Kemp, in course of his arguments in the Meerut Conspiracy case, explains certain cryptic correspondence. The Government of India is said to have addressed a circular letter to all Local Governments and administrations regarding the revision of the law relating to factories. Sir Tej Bahadur Sapru resigns from the Consultative Committee.

Foreign—Dr. B S. Moonje, the Hindu Sabha President, in an interview in London giving his views on Sir Samuel Hoare's statement, suggests another R. T. C. The Irish Free State is said to have opened negotiations with the United States, France, and Germany with the object of extending inter-trade relations. The British Government are stated to be willing to discuss changes in the form of arbitration on the issues in dispute with the Irish Free State, provided the tribunal is drawn from the Empire. It is proposed to discontinue the air route to India via-Persia as from October 1 next. Under the leadership of Mr. Ramsay MacDonald, the Powers are said to be endeavouring to evolve a Reparations agreement at Lausanne. A heavy deficit is forecast in Ceylon's budget

JULY 8, 1932.

Indian—Sir Chimanlal Setalvad suggests that, if a meeting of the Round Table Conference cannot be held again, at least a meeting of the Federal Structure Committee should be held to continue negotiations Speaking at a meeting of the Calcutta Branch of the European Association at the Dalhousie Institute, Mr. E. C. Benthall stated that he regarded the Secretary of State's announcement as satisfactory. The rising of the Jamuna is said to be giving cause for alarm in the Serajgunge Sub-Division and it is feared that the abnormal floods of last year may be repeated A communique of the Government of India announces that it has been decided to confer upon the cadets passing out from the Indian Military Academy and also upon the entrants to the Indian Air Force, commissions in His Majesty's Indian Land Forces and His Majesty's Indian Air Force, respectively, in similar form to those now granted to officers' of the Canadian Forces. Mr. M. R. Jayakar resigns from the Consultative Committee.

Foreign—Sir Samuel Hoare, in his speech before the Central Asian Society dinner, is reported to have said that, in the framing of the India constitution, His Majesty's Government were anxious for all the help they could get from representative Indians., The Irish Free State Special Duties Bill passes the Committee in the House of Commons without amendment. Britain's disarmament policy is outlined in the House of Commons by Mr. Baldwin who informs the House of the Government's cordial welcome to President Hoover's proposals.

JULY 9, 1932.

Indian—Sir T. B. Sapru and Mr. Jayakar are stated to have definitely resigned from the Consultative Committee of the Round Table Conference. U. Su, Burma delegate to the Round Table Conference, resigns from the General Council of Burmese Associations and favours separation from India, as conditional federation is not possible. A communique issued by the U. P. Government gives details of the attack on a revenue officer in Rae Barelli district. Presiding over the Bengal Moslem Conference held at the Town Hall, Calcutta, Mr. A. H. Ghuznavi puts forward a demand for 51 per cent.

of the total seats in the Bengal Council for members of his community. Six warders are said to have been injured in a disturbance in the Delhi Camp Jail.

Foreign—The United States Government is said to have intimated its willingness to consider the revision of War-Debts now that an agreement has been reached at Lausanne.

JULY 10, 1932.

Indian—The flood in the Jamuna river at Serajgunge is reported to be subsiding. Some interesting Buddhist relics are said to have been unearthed in Madras. The meeting of the Round Table Conference delegates to consider the situation created by the announcement of the Indian Secretary in the House of Commons on June 27, 1932. concluded this evening after adopting and issuing a statement to the Press under the signature of Sir C. Setalvad, Mr. Jayakar, Sir Tej Bahadur Sapru, Mr. C. Y. Chintamani, Mr. Sastri and other prominent liberals; the statement says that the signatories thereto consider the new procedure as entirely different in substance and spirit from the Conference method as expounded by Lord Irwin in October, 1929 and July, 1930 and by the Premier in December, 1931, and that it is symptomatic of a new policy and cannot produce a Constitution so satisfactory as that which the Conference method was designed to produce The Council of the All-India National Liberal Federation meets in Bombay under the presidency of Mr. C. Y. Chintamani and endorses the decision of the Round Table Conference delegates.

Foreign—Mr. Ramsay MacDonald receives a great public ovation on his arrival in London from Lausanne and is granted an interview by the King during the afternoon In view of the attempts to drive out Indian traders from native reserves, the Federation of Indian Chambers urge the Government of India to help the Federation in presenting the Indian case

JULY 11, 1932.

Indian—Fifty persons are reported to have been injured in a clash bet ween rival sections of the depressed classes in connection with their Conference meeting in Bombay At the Bengal Muslim Conference in Calcutta it is stated that resolutions were passed making clear the community's views with regard to the new constitution Their Excellencies the Viceroy and the Countess of Willingdon arrive in Calcutta. Simla considers as deplorable the statement issued by Whitehall last Friday on the Reforms procedure controversy. A delegation representing the textile industry in India receives a sympathetic hearing from the Commerce Member at Simla In an interview at Allahabad Sir T. B. Sapru states that the changed procedure outlined by Sir S. Hoare has no other objective than immediate provincial autonomy and the postponement of Indian Federation.

Foreign—The refusal to accept Sir Samuel Hoare's proposals by the moderate Indian Round Table Conference delegates is said to have disappointed many friends of India in Britain The British delegation to the Ottawa Conference will include seven members of the Cabinet and will be headed by Mr. Stanley Baldwin. German Fascists express their disapproval of the Lausanne Agreement. Mr. James McNeill, Governor-General of the Free State, is said to have threatened to resign, unless the de Valera Cabinet apologises, which apparently it has not yet done, following certain incidents in Dublin on the occasion of the French Legation reception of April 23, when two Free State Ministers walked out on Mr. McNeill's arrival, and also concerning the way the Governor-General was treated during the recent Eucharistic Congress.

JULY 12, 1932.

Indian—Four Kapurthala Sikhs are reported to have been sent to jail for disfiguring the Lawrence Statue at Lahore. Villagers in the northern districts of the Punjab are warned to leave their homes following the report of the bursting of the Shyok dam. At a luncheon at the Grand Hotel, Bombay, under the auspices of the Welfare of India League, Mr. C. Y. Chintamani says that the political horizon of India is encircled with gloom.

Foreign—In the House of Commons the Premier declares that the Lausanne Agreement is not in the nature of an ultimatum to America in regard to the revision of the War-Debts problem. The provisional agenda is published of the Imperial Economic Conference which opens at Ottawa on July 21 next. Britain's monthly unemployment figures show a slight increase. Curtis, who acted as intermediary in the Lindbergh child case, is reported to have been sent to prison.

JULY 13, 1932.

Indian—A consolidated statement is published showing the estimated acreage under Jute in Bengal, Bihar and Orissa, and Assam. Mr. H. P. Mody of Bombay appeals to the Secretary of State to avert the breakdown in the Round Table Conference work. At the annual meeting of the Bombay Stock Exchange Mr. K R. P. Shroff speaks of the dangers of allowing politics to dominate business Mr Donald Greenless, who was charged with the production of unauthorised news-sheets, is sentenced to six months' rigorous imprisonment at Allahabad.

Foreign—Mr de Valera expresses his desire for an early arbitration on the Irish question. The Chancellor of the Exchequer declares that there is no intention on the part of the British Government to return to the Gold Standard, either now or in the immediate future. During the Commons debate on Lausanne, the Chancellor of the Exchequer explained the terms of the so-called "Gentlemen's Agreement " Mr. Thomas Bata, the Czecholovak industrialist and " shoe king, " is reported to have been killed in an aeroplane crash Political bitterness between Nazis, Communists and Republicans leads to fatal clashes in different parts of Germany. A Washington message reiterates that the United States is in no manner bound by any supposed " Gentlemen's Agreement, " either expressedly or by implication. In the course of a statement in the House of Commons Sir Samuel Hoare stresses the necessity of speeding up constitutional procedure and assures that the Government are still anxious for Indian co-operation in this connection.

JULY 14, 1932.

Indian—The Governor of the Punjab proceeds on two months' leave to recoup his health. The Chief Engineer to the Frontier Government reports an improvement on the Shyok flood situation. Sir C. Setalvad and Sir Cowasjee Jehangir are stated to have said in an interview that while Sir Samuel Hoare's present statement is conceived in a more concilitory tone than his previous pronouncements, it does not remove or meet the real objection to the new procedure.

Foreign—The main features of the " Gentlemen's Agreement, " which led to so much controversy with the U. S. A., is published. Mr. George Lansbury expresses disapproval of the present Government's Indian policy and suggests that the Viceroy should meet Mr. Gandhi and his Congress colleagues. The British delegates to the Ottawa Conference sail for Canada in the " Empress of Britain." M. Herriot believes, despite a British Official

denial to the contrary, that the Anglo-French plan arising out of the Lausanne Conference means that Britain and France will be able to produce a "United front" to the U. S. A. on the question of war-debts. Five States are reported to have joined in the Brazilian revolt at the delay in restoring a constitutional Government.

JULY 15, 1932.

Indian—The Bengal Provincial Hindu Sabha protests against the demand of the Moslems for a majority of seats in the local legislature. According to a report on the working of hospitals in Bengal, the Bengal hospitals are seen to have been severely affected by the general depression. About 12,000 motor vehicles are said to have been declared, and roughly Rs 4,50,000 collected as tax, in Calcutta under the Bengal Motor Vehicles Tax Act during the last ten days of June, 1932. The Bengal National Chamber of Commerce urge the extension of the boundaries of the province to their national limits. Sir Tej Bahadur Sapru and other prominent men remain unconvinced by Sir Samuel Hoare's explanation of the object of the change in procedure of the Reforms plan.

Foreign—Lord Sankey will assume charge of Dominion and Colonial affairs during the absence at Ottawa of Mr. J. H. Thomas. Lord Irwin is reported to have been appointed President of the Board of Education. Mr. de Valera leaves to-day for London in response to an invitation from Mr. Ramsay MacDonald for a settlement of the Anglo-Irish dispute. President Hoover is said to have stated that the United States was not consulted regarding the Lausanne agreement and is in no way committed to it.

JULY 16, 1932.

Indian—Several valuable mineral deposits are reported to have been discovered in the Chitaldrug District by the Mysore Geological Survey. Sir Hari Singh Gour, on his return from his Far Eastern tour, makes a review of the Japanese textile industry; what struck Dr. Gour was the thorough and scientific rationalisation of the industry in Japan where girls drawing a wage of Rs 1-4 or Rs. 1-8 a day were actually in charge of twenty looms, and where a new spinning wheel had been invented which resulted in an outturn of 20 to 25 per cent. more than from any automatic spinning wheel in use in India or Lancashire—a wheel which was not permitted to be exported and had not been patented for fear of its secret leaking out. Mr. Ramchandra Lohia, presiding at the third annual meeting of the Calcutta Hessian Exchange, reviewed the prospects of the jute and hessian trade; according to Mr. Lohia, the new movement in America of substituting Hessian bags by cotton bags was inevitable to a certain extent in view of the low prices of cotton and that the remedy lay in the local mills reducing their cost of manufacture to the lowest possible limit as would enable them to sell at as competitive a price as possible; he then stressed the need for a thorough retrenchment from top to bottom in all the mills. The decision of the Cotton Broker's Association to keep the market open for five days in the week instead of three days as has been the case for over 5 months brings to an end the deadlock in the Bombay Cotton market. The Trade Union Unity Conference, which concluded at Madras this morning, finally agreed to the general principle of the unity plan outlined by the Unity Committee. The Government of India contemplate holding a Conference during the coming cold weather to solve the present competition between rail and motor transport, and, as a preliminary step, a comprehensive survey is being made of the present position regarding the rail-road competition, of existing plans for future road development, requirements of railways in the matter of feeder roads, etc.

Foreign—President Hoover sets an example in the economy campaign in the United States by reducing his annual salary by £3,000. Speaking at Thirsk regarding India, Lord Irwin approves of the new procedure in connection with India reforms and says that the Conference method has not been abandoned.

JULY 18, 1932.

Indian—Following an attack by 200 villagers on a party of police and others who went to realise arrear of Chowkidari tax, the police opened fire in a Midnapore village; a Government communique from Midnapore gives the details of the attack and the subsequent firing by the Police. Hansi Municipality in the Punjab is stated to have been superseded by the Government, owing to maladministration Capt. Sikander Hayat Khan is appointed to act as Governor of the Punjab during the absence, on leave, of Sir Geoffrey de Montmorency. The graves of two victims of the Armoury Raid at Chittagong on April 18, 1930, are reported to have been desecrated by terrorists.

Foreign—The failure of the Anglo-Irish negotiations is stated to have been due to the inability of the parties to agree on the appointment of a tribunal to arbitrate on the question of the land annuities. Delegates to the Ottawa Conference meet on board the "Empress of Britain" and discuss the question of reciprocity in British and Indian trade: the bulk of the discussions is occupied by the cotton trade between India and Lancashire. Sir Thomas Ainscough proceeds to Ottawa to advise the British delegation on Indian matters. M Herriot endorses Sir John Simon's views regarding the Lausanne undertaking, thus giving the quietus to all the excitement that was aroused by Paris and London differently construing the Lausanne Anglo French agreement, and denies that any implication limiting England's liberty of action as regards the United States has ever been mentioned by him. Germany wants to know more about the Anglo-French "conference pact," before replying to Britain's invitation to endorse it. The British Ambassador, Sir Ronald Lindsay, visits the U S State Department and presents the official interpretation of the Anglo-French accord. Many persons are reported to have been injured in a clash between Communists and unemployed, and the police in Queensland. Twelve are killed and fifty injured in a fight between Fascists and Communists at Altona, Germany.

JULY 19, 1932.

Indian—A Government Training centre for Physical Education is opened this evening at Ballygunge, Calcutta The status and style of H. H. the Mehtar of Chitral is raised Eight congressmen invaded the court room of the District Magistrate of Cuttack and ordered him to leave the room which, they declared, belonged to them: they were surrounded and marched to the nearest police station and detained in custody Four arrests are reported in connection with the desecration of the graves of the Armoury raid victims at Chittagong.

Foreign—A tariff on British coal imports into the Irish Free State under the new Free State Emergency Tariffs Bill, which has passed its second reading in the Senate, is likely to mean a loss of £2,000 000 to the British industry. Turkey is reported to have been admitted to membership of the League of Nations.

JULY 20, 1932.

Indian—Railways in South India plan for the construction of new lines and the remodelling of railway stations and rolling stock. A Resolution of the Bengal Government reviews measures for the relief of distress caused

by last year's floods in the Bogra District. A review of Survey and Settlement operations in Bengal last year is published. A full Bench of the Bombay High Court gives an important judgment bearing on a High Court's powers under the Emergency Power Ordinance. A brief Ordinance is issued, repairing an accidental omission from the Bengal Emergency Powers Ordinance. The Bombay Government are said to be considering new measures to control the cotton industry in the province. A deputation which waited on Sir Frank Noyce to-day put forward a plea for adequate Government assistance to the struggling industries of Bengal.

Foreign—It is reported that five Cabinet Ministers of the Italian Government, including Sgr. Grandi, have resigned. Herr von Papen is appointed State Commissioner in Prussia with almost dictatorial powers.

JULY 21, 1932.

Indian—The Government of Bengal are stated to have addressed three letters to the Calcutta Corporation asking for information on a number of subjects. Mr. T. Gavin Jones and Sir A. P. Patro support the new India reforms plans. The Advisory Board of the Imperial Council of Agricultural Research sanction a large number of applications for grants to carry out research work. Japanese traders deny that they are dumping goods in India. His Excellency Sir John Anderson in his reply to addresses of welcome at Dacca pays a striking tribute to the Bengal police in dealing with the terrorist movement.

Foreign—Uruguay accepts America's offer to arbitrate in the diplomatic troubles with the Argentine. British and Canadian iron and steel manufacturers reach an agreement. The Bavarian Government protests against the appointment of a Dictator in Prussia. Four of the Great Powers, namely, Great Britain, France, the United States and Italy tentatively accept an important proposal in connection with disarmament: the proposal which is embodied in a draft resolution drawn up by Sir John Simon gives a warm welcome to the Hoover proposals and adopts as guiding principles that the reduction of world armaments should be effected by a general convention applying alike to land, sea, and air, and that the primary objective must be to reduce the means of attack, and disarmament must be both qualitative and quantitative. Sir Shadilal is appointed to the Tribunal to inquire into India's payment towards the cost of training British troops.

JULY 22, 1932.

Indian—The working of the trade union movement in India in 1930-31 is officially reviewed. Opening the Lalpur Bridge over the Kosi in Rampur State on the 21st instant His Excellency Sir Malcolm Hailey observed that the differences of opinion over the new reforms procedure could be easily adjusted. A gathering of Sikhs at Simla declares that they would not submit to a rule by a Moslem majority and would resist by all peaceful means any such constitution imposed on them, and reiterates the Sikh demands embodied in their 17 points.

Foreign—The British Press warmly approve the opening speeches at the Conference at Ottawa. Irish-Americans in the United States threaten a boycott of everything English. Prussia, with the inauguration of the new Dictatorship, is said to be passing out of the hands of the Socialists. Paris is said to be uneasy over the Papen coup in Prussia where, under the stern military rule of General Rundstedt, excitement is said to be subsiding. The Manchester Chamber of Commerce invites the Maharaja of Nawanagar to elaborate his proposals for improving trade relations between Britain and India.

JULY 23, 1932.

Indian—Mr. R. S. Ruikar, president of the All-India Trade Union Congress, is sentenced to two years' rigorous imprisonment by the Special Magistrate at Nagpur on a charge of sedition in connection with a speech delivered by him on February 4, 1932. The Senate of the Calcutta University decide to adopt the vernacular as the medium of instruction in high schools under the University. Rumours of the Government's intention to give a Moslem majority in the Punjab Council, in the communal award to be announced by the Premier, cause considerable alarm among the Sikhs.

Foreign—The Irish Dail adopts the Duties Bill. The Disarmament Conference delegates, having summarised in a resolution the past six months' work, adjourns until the Autumn. The Australian delegate to the Ottawa Conference submits important proposals which provide *inter alia* for the retention of existing preferences and a general widening of preferences with a limited number of reservations. Germany threatens to withdraw from the second phase of the Disarmament Conference at Geneva unless her equality of rights in the matter of armaments is recognised.

JULY 25, 1932.

Indian—The All-India Women's Conference is dissatisfied with the findings of the Lothian Committee. Mr. N. R. Sarkar in a statement explains the reasons why delegates to the Round Table Conference from the Federation of Indian Chamber of Commerce did not sign the manifesto recently issued by the Liberals. The Government of India are reported to have ordered an inquiry into foreign piecegoods imported into India.

Foreign—As a result of the Anglo-Canadian steel agreement, America will be deprived of £8,000,000 worth of business. Senator Borah's views in regard to War-Debts are said to be held by most of the educated classes in the United States. The United States Federal Reserve Board publishes the gold holdings of major countries. The resolution passed by the Disarmament Conference at Geneva is ridiculed and condemned as a "dangerous farce" by the Italian Press which applauds Italy's action in abstaining from voting for the resolution as a courageous act of sincerity.

JULY 26, 1932.

Indian—Presiding over the Convocation of the Dacca University, His Excellency the Governor of Bengal concludes his address with a warning to students not to trample in the mud the good name of the University but to prove worthy sons of their *amla mater*. Dr. Ansari leaves Bombay for Europe on August 7, 1932. The Calcutta Corporation appoints a committee of seven members to deal with the Local Government's letter calling for information on the working of the Corporation's Education Department.

Foreign—Lord Snowden forecasts that the Conversion scheme is paving the way to a reduction of the taxation burden in England. Questions are to be asked in the Dutch Parliament regarding of the ex-Kaiser's political activities. Martial Law terminates in Berlin and the province of Brandenburg.

JULY 27, 1932.

Indian—A summary is published of the report on the work of the Indian Trade Commissioner in London during 1931-32. The report is published of the Indian States Inquiry Committee (Financial) giving a comprehensive review of the financial position of the States in relation to British India and making recommendations in connection with the proposed federation with British India.

Foreign—Bolivia is mobilising her army against Paraguay and intends to declare war on August 6, 1932.

JULY 28, 1932.

Indian—The Commissioner of Police, Bombay, promises protection to the local bullion brokers who have suffered from the boycott activities of Congress "volunteers." The Governor of Bengal, in a speech at Dacca, pays a striking tribute to the loyalty of Union Board officials. Abdul Rashid, the assailant of Capt. Coldstream, Civil Surgeon, Peshawar, is sentenced to death. Calcutta Hindus, in a meeting, protest against the Moslem claim for a statutory majority.

Foreign—Two thousand doctors are reported to have assembled in London for the centenary celebrations of the British Medical Association. Mr. Arthur Henderson says that pessimism about certain achievements at the Disarmament Conference of Geneva is unjustified. London newspapers favourably receive the report of the Indian States Inquiry Committee (Financial). The Maharaja Jam Sahib is said to have scrapped all American trade with Nawanagar and formed a Company to deal exclusively with Britain. Death is reported of Sir William Willcocks, the famous engineer. China decides to institute a postal boycott of the new State of Manchuria. The United States Government does not intend to take the initiative regarding War-Debts revision and is expected to demand drastic disarmament as the price. Gourgoulaff, the Russian assasin of President Doumer, is sentenced to death.

JULY 29, 1932.

Indian—Sir Arthur Nelson assumes office as Acting Governor of the Central Provinces. The duty on cigarettes in Burma is proposed to be reduced. Mr. A H. Ghuznavi appeals for unity among the community, in his address at the meeting of the Council of the All-India Moslem Federation.

Foreign—Greece and Hungary decide to adhere to the Anglo-French Consultative Pact concluded at Lausanne. Norway and Sweden are hopeful of action being taken at Ottawa against the Soviet dumping of timber. Mr. Stanley Baldwin, as leader of the British delegation, submits to the President of the Imperial Economic Conference at Ottawa a statement containing Britain's case for preference from the Dominions.

JULY 30, 1932.

Indian—Decline is reported in the export of hides and skins to the United Kingdom last year. A review of the working of the Indian Factories Act in Bihar and Orissa is published. The Indian Merchants' Chamber of Bombay protest to the Government of India in connection with the dumping of imports from Japan. Calcutta citizens pay tribute to the late Mr. Bipin Ch. Pal's contribution to the national life of India. Replying to addresses at Barisal, H. E. the Governor of Bengal said that he was keenly alive to the desirability of giving increased technical and vocational training to Bengalees. Mr E. B. Ellison, Additional Superintendent of Police at Tipperah, who was shot at yesterday at Comilla, is brought to Dacca this morning.

Foreign—President Hindenburg proclaims a political truce in Germany for ten days and bans all demonstrations.

AUGUST 1, 1932.

Indian—Autumn session of the Bengal Legislative Council commences to-day. The Council debates the problem of joint or separate electorates.

The Government's decision to separate the Council Department from the Legislative Department was announced by the President of the Bengal Council.

Foreign—The success of the War Loan Conversion scheme is said to have given an impetus to British industry. America accepts Britain's invitation to attend a discussion of the world's economic problems. Although leading the polls in the German elections, the Fascists failed to secure an absolute majority.

AUGUST 2, 1932.

Indian—His Excellency Sir George Stanley explains in the Madras Council the reason why he disallowed a motion on the Reforms procedure. The Madras Legislative Council discuss the Orissa Boundary Committee's Report. About 216 Mahommedan labourers are feared to have been drowned in the Noakhali ferry-boat disaster. The majority of the Bengal Legislative Council plump for joint electorates in the new constitution, passing Mr. Abdus Samad's resolution in favour of joint electorate, by 47 votes to 32.

Foreign—Bolivia and Paraguay are virtually at war and eight Bolivian and nine Paraguayan troops are reported to have been killed in an engagement. Communists in Germany have been warned that, unless street outrages cease, the party will be declared illegal.

AUGUST 3, 1932.

Indian—The Bengal Council rejects a motion for the institution of a Committee to readjust the provincial boundaries. A Simla message reports tension between Sikhs and Moslems in the Punjab on the eve of the communal award.

Foreign—Farmers in the Irish Free State are said to be alarmed at Mr. de Valera's ruling that they must continue to pay land annuities. Prof. Piccard completes arrangements for his second ascent into the stratosphere. The United States and four other Governments in America are said to have made an appeal for peace between Bolivia and Paraguay.

AUGUST 4, 1932.

Indian—A review is published of jail administration in Bihar and Orissa. A communal settlement between Moslems and Sikhs in the Punjab is reported to be most likely to be reached.

Foreign—Britain is reported to have readily agreed to give every support to the Leagues' efforts for peace in South America. Australia's trade proposals are turned down by the British delegation at Ottawa. The Free State Senate urge the Government to re-open negotiations with Britain with regard to land annuities. Bolivia and Paraguay continue their warlike preparations and the forces of both countries are now said to be fully mobilised.

AUGUST 5, 1932.

Indian—Sir Alfred Watson, editor of the "Statesman," is fired at by a youngman, but escapes miraculously. Mr. E. B. Ellison, Additional Superintendent of Police, Comilla, who was shot at and wounded by a Bengali at Comilla on Friday, July 29, dies at Dacca. The Bengal Council refers the Suppression of Immoral Traffic Bill to a Select Committee. The President of the Indian Chamber of Commerce at its quarterly meeting refers to signs of trade revival in India.

Foreign—Sir Thomas Inskip, Britain's Attorney-General, in a speech, said that the British Government's offer to submit the case of the Irish land annuities to arbitration remained open. The British Cabinet are reported to have

been discussing the communal problem after the closest interchange of views between Whitehall and Simla. It is reported that Bolivia and Paraguay have agreed to submit their dispute to the League of Nations, but the two countries are stated to be still mobilising their forces. The Canadian delegation at Ottawa submit their proposals to the United Kingdom delegation for preferences covering over 100 different trade products.

AUGUST 6, 1932.

Indian—It is stated that there is no truth in the Press report from Allahabad that the Princes have decided to non-co-operate with the Joint Select Committee in the matter of India constitution. Sir P. C. Mitter is entertained at a luncheon in Calcutta on his elevation to the office of Vice-President of the Bengal Executive Council. Government refuses the Lahore Municipality's request for sanction to purchase a portrait of the late Pundit Matilal Nehru. Bombay Cotton Brokers pass a resolution protesting against the Government's new Cotton Contracts Bill.

Foreign—An analysis of Ceylon's trade returns for 1931 is published. A political crisis is reported from Shanghai, where Dr. Wang Chingwei, the virtual Prime Minister, has resigned.

AUGUST 8, 1932.

Indian—The District Magistrate of Dacca orders all citizens to deliver their arms and ammunition to police custody, to prevent theft by terrorists. The Bengal Council discusses legislation to control and restrict opium smoking and the punishment of persons assisting in illicit opium traffic.

Foreign—Miners of all the Belgian coalfields are said to have declared a general strike. The Swedish Premier, Mr. Ekmar, resigns.

AUGUST 9, 1932.

Indian—The Premier's communal award will be published simultaneously in England and India on the morning of August 17 next. Details are given in the Bengal Council of the allowances paid to the families of detenus. Mr. G. S. Hardy, Collector of Customs, in his annual report emphasises the extraordinary deterioration in trade in Bengal due to the economic depression. The Suppression of Terrorist Outrages Bill, 1932, which seeks to substitute legislation for the Ordinances when the latter lapse, is referred to a Select Committee by a majority of 72 to 20 in the Bengal Legislative Council. The Government of India, Finance Department, issues a communique detailing its scheme for the issue of 5 per cent. Loan, 1940-43.

Foreign—The "British Fascisti" is reported to have offered Bolivia "500 soldiers," should she be forced to fight. Four countries in South America sign a pact of neutrality in the dispute between Bolivia and Paraguay.

AUGUST 10, 1932.

Indian—The Bengal Council unanimously pass a resolution protesting against the recommendations of the Federal Finance Committee. Arrangements are in progress for the formation of a new political party in Bihar to provide a common platform for the zeminder and the tenant. In the Bengal Legislative Council, the Minister for Local Self-Government moves the consideration of the Bengal Municipal Bill.

Foreign—The offer by unemployed British ex-servicemen to serve with the Bolivian forces have been declined. The Chinese Government resigns, following differences with the northern military authorities. Anglo-Canadian

difficulties show no signs of abatement at Ottawa, but the Canadian Cabinet is said to be re-examining the British comments on the proposals submitted. An American view of Mr. Stimson's speech on U. S. foreign policy is that he is endeavouring to encourage the anti-Japanese group in the League of Nations in order to demand a strong line when the Manchurian report is presented shortly. A revolt, said to be organised by Monarchists, is reported from Madrid, where four were killed in fierce street-fighting.

AUGUST 11, 1932.

Indian—Statistics of political prisoners in Bombay reveal that 84 per cent. of those sentenced for taking part in the national campaign are Hindus. The Burma Legislative Council passes a resolution recommending the Government to raise funds by means of lotteries or Premium Bonds. The European Association, in a statement, state that it is strongly opposed to the introduction of responsible government in those provinces where co-operation is absent and where the economic and financial conditions necessary for successful working of the reforms do not exist.

Foreign—The Anglo-Canadian impasse have been cleared by the discovery that Canada based her claim to preference on out of-date statistics. The sugar-growing Dominions are said to be claiming the same preferential treatment from the United Kingdom as recently allowed to the British West Indies and Mauritius.

AUGUST 12, 1932.

Indian—The Bengal Council further considers the Bengal Municipal Bill and refuses, to depressed classes, reservation of special seats on municipalities. Twenty lakhs of rupees a year is spent by India's population on trafficking in cocaine, says an expert, who has recently completed a tour of the East and has studied the problem in all its aspects on behalf of the Government of India. The Sikh-Moslem negotiations in the Punjab for communal settlement break down.

Foreign—The British Post Master-General declares in a speech that Britain is leading the world in broadcasting. A general stoppage in the weaving section of the Lancashire cotton industry is threatened on questions of wage reduction and re-instatement of displaced operatives. About 50,000 foreign buyers are being invited to attend the British Industries Fair in February next President Hoover blames Europe for the depression and hints to debtor nations to seek salvation through Disarmament rather than Debt remission.

AUGUST 13, 1932.

Indian—A terrorist outrage is reported from Cawnpore, where five shots were fired at a police party. The Senate of the Calcutta University approves of the proposal that the matriculation examination of the Calcutta University should be conducted in one of the major vernaculars.

Foreign—Japanese merchants are said to have threatened to boycott Indian raw cotton in the event of the new Indian tariff being imposed. The negotiations between Herr Hitler and the German Government have broken down Order is restored in Spain, following the collapse of the Monarchist revolutionary movement.

AUGUST 15, 1932.

Indian—A review of the working of the Madras Port Trust is published. Hindu Moslem negotiations in the Punjab have broken down. The Japanese

Government have sent a message to London, protesting against the "Anti-Japanese policy" of the Government of India. The Bengal Council agrees to joint electorates and the reservation of seats for the minority communities in Municipalities.

Foreign—Mr. de Valera threatens to abolish the Senate in retaliation against the Upper House holding up the Oath Bill. A reduction of working hours in industry is being discussed by the International Labour Office. President Hoover summons a national Conference of industrial leaders to consider a new scheme for stimulating the revival of trade. The Dutch Indies authorities do not consider the present moment opportune for international discussions on the rubber situation.

AUGUST 16, 1932.

Indian—A statement was made in the Bengal Council in regard to the action taken by the Government on the Chittagong riots report. An amendment seeking to introduce adult male franchise was defeated in the Bengal Legislative Council during the consideration of the Municipal Bill. The Governor of Bengal, at Chittagong, makes a strong appeal for co-operation in order to fight the terrorist menace. The Meerut Conspiracy case ends, the assessors giving their award: Judgment will be delivered on December 1 next.

Foreign—In making known the British Government's decision in regard to communal representation the Prime Minister issues a statement explaining his reasons for the action taken. Canadian manufacturing interests stigmatise the principle of a competitive tariff favoured by the United Kingdom as an unfair British move.

AUGUST 17, 1932.

Indian—The new 5 per cent. Government of India Loan opened to-day, when there was a rush to subscribe to it. The views of the Punjab Moslems on the communal award are published The evidence of the Bombay Millowner's Association before the Tariff Board is published. The communal award announced to-day meets with a mixed reception at the hands of party leaders of the Bengal Legislative Council and of prominent public men of Calcutta.

Foreign—The outlook in the Lancashire cotton industry is said to have become grave. Official figures reveal a heavy decline in Germany's import and export trade.

AUGUST 18, 1932.

Indian—Seven battalions are to be sent to Bengal to quell terrorism. An official amendment to the Bengal Municipal Bill giving power to the Local Government to veto the election of Chairmen is defeated in the Council. The Calcutta High Court delivers judgment in the "Amrita Bazar Patrika" case. The Indian Chamber of Commerce, Calcutta, characterise the threat of boycott of Indian cotton by the Japanese as a "bogey."

Foreign—Professor Piccard, the Belgian scientist, in his second attempt to study the cosmic rays, is reported to have ascended to a height of over ten miles in a balloon. The situation at Ottawa is still considered to be "tense," no decision having been arrived at in regard to the Russian embargo demand.

AUGUST 19, 1932.

Indian—Prominent Liberal leaders appeal to the communities to accept the Government's communal award. The general election in Burma to decide

the separation issue is fixed for November 9 next. An attempt to abolish the Oath in Bengal Municipalities is defeated in the Council.

Foreign—The Argentine Republic is expected to shortly rejoin the League of Nations. As a result of a policy of co-operation, more British exports of iron and steel to Canada are expected.

AUGUST 20, 1932.

Indian—The need for additional military forces in Bengal to cope with terrorism is indicated in a statement published to-day. The Public Accounts Committee scrutinises the accounts of the Posts and Telegraphs Department. An official communique says that a trade agreement has been arrived at between Britain and India. Mr. Srinivasa Sastri declines invitation to preside at the Calcutta session of the Liberal Federation owing to his state of health. The Sikh members of the Consultative Committee resign as a protest against the communal award. The European Association have offered to support the communal award.

Foreign—Sir Samuel Hoare refers to the success of the recent loans as proof of the improved situation in India. Professor Piccard is to make another ascent into the stratosphere from Hudson Bay. A new tariff agreement has been reached between Britain and Canada.

AUGUST 22, 1932.

Indian—A temporary cut of 10 per cent. is decided to be made in the pay of Royal Air Force officers in India. The official report on the damage caused by floods in Pegu District shows that there was no loss of life, but crops were totally destroyed. Raja Narendranath of the Punjab, a delegate to the Round Table Conference, is said to have written to the Viceroy withdrawing from the Conference. Mr. C. G. Grassby, Additional Superintendent of Police, Dacca, is shot at and wounded by two Bengalees. An amending Bill to the Motor Vehicles Act is referred to a Select Committee by the Bengal Legislative Council. Sir Hugh Stephenson is chosen to succeed to the Governorship of Burma. Dr. Kitchlew, Acting President of the Congress, is arrested in Lahore for defiance of police order requiring him not to enter Lahore Division.

Foreign—Twelve agreements are said to have been signed at Ottawa during the week-end and Great Britain was involved in seven of them.

AUGUST 23, 1932.

Indian—The Calcuta Corporation discusses the proposal to abolish the Calcutta Improvement Trust Tribunal. A lively debate took place in the Bengal Council on the Premier's Communal Award so far as it affected Bengal.

Foreign—Chile is reported to be negotiating with the United States for the barter of nitrate for wheat.

AUGUST 24, 1932.

Indian—The chairman of the Bombay Chamber of Commerce considers that India stands to gain by the agreements at Ottawa. Heavy snowfalls, threat of avalanches and very bad weather are reported to be impeding the progress of the Nanga Parbat Expedition.

Foreign—The outcome of the Ottawa Conference is welcomed in South Africa as giving "a new life" to exporters. It is estimated that America's trade loss, as the result of the Ottawa Conference, will be £60,000,000. The organisers of the Anti-War Congress are facing considerable difficulties in bringing their plans to fruition.

AUGUST 25, 1932.

Indian—Members of the Indian delegation to the Ottawa Conference are said to be pleased with the results and confident that the Legislative Assembly will approve of the Indo-British Treaty. The Bengal Council rejects a proposal for the use of municipal funds for promoting gas and electric companies. The C. P. Legislative Council disposed of several official Bills on the opening day of the autumn session. Dr. Rabindranath Tagore appeals to his countrymen to arrive at a solution of the communal problem.

Foreign—The German Government decide to take firm measures to cope with political disturbances by the Nazis.

AUGUST 26, 1932.

Indian—A copper-plate inscription of the Gupta period is said to have been found by some coolies in a village in the Bogra District (Bengal). In their review of the annual (1931) police administration report the Assam Government pay high commendation to the Assam Rifles. The Bengal Council disposes of about 250 amendments to the Bengal Municipal Bill. The Government of India are understood to be considering a Bill for the Assembly which will embody some of the provisions of the Consolidated Ordinance.

Foreign—The British delegates to the Imperial Conference return from Ottawa and, in a general statement, make the optimistic utterance that the agreements made at Ottawa will lead to increased trade between several parts of the Empire. Following further Nazi disturbances in Benthen in Silesia, the Governor of Upper Silesia issues decrees forbidding the use of lorries and buses for the transport of political groups, and banning the holding of political meetings at street corners. The Japanese Foreign Minister justifies Japan's policy in China and Manchuria.

AUGUST 27, 1932.

Indian—The adjournment motion in the C. P. Council to protest against the Communal Award is talked out after two hours' debate. Explaining the features of the Commercial Crops Marketing Bill, the Minister for Development in Madras claims that the new measure will save the ryots from the clutches of middlemen. An emergency meeting of the Senate of the Patna University discusses the changes contemplated by the amended Patna University Act. The Bihar Government sanction a scheme for extension of water supply at the Sonepur Fair at a cost of Rs. 21,000. Dr. Kitchlew, acting President of the Congress, is sentenced to two years' rigorous imprisonment and a fine of Rs. 250 for violating a Government order. A special committee of the Calcutta Corporation prepares a draft letter in reply to the Local Government's request for information about the Corporation's primary schools.

Foreign—The Conference between Lancashire employers and operatives with the object of ending the present dispute in the cotton industry is said to have broken down and a strike involving 200,000 men begun. Mr. V. J. Patel attends the Anti-War Conference in Amsterdam. Nazis in Germany are said to be discussing with the Central Party the possibility of Government by coalition. President Hoover, in his speech opening the Anti-Depression Conference at Washington on 26th instant, is confident that the major financial crisis can be overcome.

AUGUST 29, 1932.

Indian—Satisfactory progress is reported of informal discussions on the procedure to be adopted for following up the work of the Round Table Con-

ference. The proposed Bill to control the Bombay Cotton Market provides for interference by the Government to deal with abnormal times. A meeting of the Depressed Classes at Howrah puts forth plea for better representation in the Council. Considerable damage is reported to have been caused by floods in Cooch Bihar, where a vast cultivated area is under water.

Foreign—"The Ottawa Conference," says Mr. Baldwin in a broadcast speech, "has more than fulfilled our hopes." Herr von Papen puts forward his plans for the revival of German industry. The international conference to discuss the prevention of war opens in Amsterdam. Dr. Lo Wen-kan, the Chinese Foreign Minister, declares that China will resist Japanese Military occupation of Manchuria.

AUGUST 30, 1932.

Indian—The duty on cotton piecegoods imported into India, other than those of British manufacture, is raised to 50 per cent. It is stated that thirty-five industrial disputes took place in British India during the three months ended June 30 last In the Bengal Council the Hon. R. N. Reid said that the charge for the additional police at Midnapore would be collected from members of the local Hindu community who were assessed to municipal tax It is stated that an early announcement is likely on the revised procedure for the discussion of Indian constitutional issues The annual report of the Agent of the Government of India in South Africa for the year 1931 is released for publication.

Foreign—The German Chancellor, Herr von Papen, fails to secure the support of Herr Hitler, the Fascist leader, in his reconstruction programme. According to the Secretary of the Weavers' Amalgamation, Lancashire, 64,000 operatives were on strike this morning, but the number is expected to increase to 140,000 by evening, and a complete stoppage of all mills in north-east Lancashire might be achieved by Wednesday (31st August), involving a total of 170,000 operatives

AUGUST 31, 1932.

Indian—Traders in Calcutta are reported to be alarmed at Japanese "dumping" and urge the adoption of protective measures During the debate in the Bihar Council on the supplementary grant for Patna Camp Jail, the Government stated that the complaints about the treatment of political prisoners were not justified Police administration in Bengal last year is reviewed in a Government Resolution published in the Calcutta Gazette Results are published of the ballot for resolutions during the coming session of the Assembly The draft reply of the Calcutta Corporation to the Government on the working of the Municipal Primary Education Department is criticised at to-day's meeting of the Corporation

Foreign—The Irish Free State is to get the same tariff preferences from Canada as Britain Japan is said to be considering the establishment of a naval base at Port Arthur for the defence of the Manchurian coast. American Cotton Corporations are reported to have been granted a loan of £10,000,000

SEPTEMBER 1, 1932.

Indian—The Bengal Legislative Council accepts to-day a provision in the criminal law for the death penalty in cases of attempted murder by terrorists The Government of India release for publication the report of the Indian Tariff Board regarding the grant of additional protection to the cotton textile industry. Ahmedabad Millowners' representatives urge, before the Tariff Board, the continuance of import duty on cotton yarn. The Military Accounts Committee, who have signed their report, are said to have recom-

mended important changes. Some Sikh M. L. C.'s, at a meeting in Lahore, decide that there should be no resignation from the legislatures. A conference of Sind Moslems at Karachi criticise the communal award. The British Government, in agreement with the Government of India, have decided to set up a tribunal to consider whether India should continue to contribute to the training expenses at England of the British Army in India.

Foreign—The strike in the Lancashire cotton industry is reported to be spreading. An unofficial war between Bolivia and Paraguay is said to be still smouldering. The Chinese again attack the Japanese arsenal and base at Mukden.

SEPTEMBER 2, 1932.

Indian—Death is reported of the Prime Minister of Nepal. According to a note issued by the Bombay Millowners' Association, imports of cotton yarn into India show a fall in July last in comparison with the figures for the preceding month. The Bengal Council to-day discussed the report of the Select Committee on the Bengal Suppression of Terrorist Outrages Bill.

Foreign—Irish farmers are said to be demanding an end of the economic war with Britain. New duties are placed on a number of articles imported into Britain. The Board of Trade Journal says that India was Britain's principal market for cotton piecegoods in 1931. Germany demands, in a Note to France, an army of 300,000 troops. The Australian Premier presents a balanced Budget to the House of Representatives.

SEPTEMBER 3, 1932.

Indian—The Council of the All-India Moslem League is disappointed with the communal award. Dewan Chamanlal criticises the communal award. The first part of the report of the Public Accounts Committee on the accounts of 1930-31, shows a total saving of Rs. 342 lakhs, in the actual, as compared with the voted and non-voted expenditure for the year.

Foreign—Dublin farmers are said to have stated that the continuance of 20 per cent. tariff on livestock and farm products must lead to the ruination of the farming community of the Free State.

SEPTEMBER 5, 1932.

Indian—Opening the Assembly to-day, His Excellency the Viceroy deals with the political situation and the general conditions prevailing throughout the country and makes an announcement about the holding of the third session of the Round Table Conference. An adjournment motion in the Assembly to discuss the communal award is talked out. An official assurance is given in the Bengal Council that the new powers for Government under the Terrorist Bill would not be misused. Five thousand Moslems besieze and stone the Hindus at Malegaon near Nasik.

Foreign—Germany is said to have approached Signor Mussolini regarding her claims for equality of armaments. The Lytton Commission Report on Manchuria is said to have been signed.

SEPTEMBER 6, 1932.

Indian—The Bengal Municipal Bill is passed by the Bengal Legislative Council. The Bill granting the Government new powers to deal with the terrorist menace, is passed by the Bengal Legislative Council. The terms of reference to the Capitation Tribunal were discussed in the Assembly to-day on a motion for adjournment which was eventually defeated. Questions relating to the treatment of Bengal detenus in the Deoli Camp are raised in

the Assembly. The British Press comment favourably on the Viceroy's speech to the Assembly.

Foreign—Italy suggests that the question of Germany's re-armament should be raised at Geneva. The German Government issues an emergency decree containing proposals for the stimulation of private industries.

SEPTEMBER 7, 1932.

Indian—The Assembly passes a resolution urging the fixing of minimum rates in the passenger-carrying steamship traffic between coastal ports of India. The Calcutta Corporation to-day adopt the Special Committee's draft reply to the Government of Bengal in regard to the working of the Corporation's Primary Education Department. During question time in the Bengal Council the information was elicited that there was to be no extension of the provision for a separate electorate for Mahommedans in the next Calcutta Corporation. The Bengal Legislative Council is prorogued to-day. The publication of the final Jute Forecast for the season is reported to have had a disturbing effect on the market. The Select Committee to which the Bill to amend the law relating to emigrant labourers in tea districts in Assam was referred make a number of amendments, including the insertion of Balipara Frontier Tract among tea districts, and revising the definitions of tea estate, adult and labour.

Foreign—The Lancashire cotton dispute adds 37,000 names to the list of unemployed. The British Trade Union Congress is reported to have offered substantial assistance for the Lancashire cotton strikers. The growing trade confidence is said to be reflected in the London Stock Exchange which is reported to be daily recording increases in the turnover of shares. The contents of the German Note to France is published. The agrarian States of Europe make an appeal for international co-operation to save them from economic disaster.

SEPTEMBER 8, 1932.

Indian—Mr. B Das, M. L A., assures the Assembly that there would be no terrorist movement with the advent of Swaraj. The proposal for a Second Chamber in Bengal is strongly condemned at a public meeting in Calcutta. A Government Bill to amend a section of the Criminal Procedure Code so as to check the abuse of the right of transferring applications was to-day referred, by the Assembly, to a select committee. The Home Member presented a statement in the Assembly to-day, showing the number of times the police had been compelled to fire since the present civil disobedience movement began.

Foreign—The Lancashire employers are reported to have expressed their readiness to meet the Minister of Labour and the Cotton operatives in an attempt to end the strike. The German Government is firmly resolved to retain power and intend, if necessary using its power to dissolve the Reichstag, should the Reichstag attempt to thwart Government's programme. France abandons the scheme for a Danubian Customs Union.

SEPTEMBER 9, 1932.

Indian—The Nanga Parbat Expedition abandon their final ascent on the mountain owing to weather conditions, and are reported to be returning to India. A Simla message announces that the Viceroy will receive a deputa tion of orthodox Hindus who are apprehensive of reforms on Western lines. Sirdar Ujjal Singh's statement on the Sikh-Moslem controversy over representation and the text of his correspondence with the Premier are published.

Foreign—Mr. Arthur Henderson is disappointed with the results of the Disarmament Conference. Mr. de Valera is reported to be leading the Free

SEPTEMBER 16, 1932.

Indian—Mahatma Gandhi refuses to postpone his fast being determined to carry out his vow to "starve unto death" until a settlement is reached in connection with the award of separate electorates for the depressed classes. A review of the mineral trade of Burma last year is published. The subjects for discussion at the conference of the States' representatives with H. E. the Viceroy on September 20 are published. The Assembly passes a Bill providing for committees to assist Haj pilgrims.

Foreign—Important progress towards a settlement of the Lancashire cotton dispute is reported. Irish farmers condemn Mr. de Valera's "jingo policy." Viscount Cecil urges the recognition of Germany's claim for equality of armaments.

SEPTEMBER 17, 1932.

Indian—Replying to requests that he should abandon his decision to starve, Mahatmaji says that he cannot alter a decision taken "in God's name." Commercial associations in Bengal send a joint memorial to the Secretary of State for India, protesting against the recommendations of the Federal Finance Committee. The Assam Council discuss the question of the creation of an Upper House.

Foreign—Death is reported of Sir Ronald Ross, after a long illness. Britain's reply to Mr. de Valera on the land annuities dispute is dispatched. A severe earthquake causes widespread damage in New Zealand.

SEPTEMBER 19, 1932.

Indian—Mahatmaji makes it clear that his decision is wholly against separate electorates and that he will cease his fast when separate electorates are withdrawn. Replying to questions in the Assembly about Mr. J. M. Sen Gupta, the Home Member says that the Bengal Congress leader's health has improved. The Bombay Legislative Council discuss the Government's Bill to control and regulate the cotton trade of Bombay. The Princes in Simla discuss the States' delegation to the next Round Table Conference. The Select Committee's report on the Criminal Procedure Code Amendment Bill against abuse of rights by accused persons was the subject of lively debate in the Assembly to-day.

Foreign—The Free State Government remains firm in its determination to withhold payment of the land annuities. An official statement containing Britain's view of Germany's armament claims is issued. Civil War breaks out in the province of Shantung. It is stated that there is a prospect of a truce between Bolivia and Paraguay.

SEPTEMBER 20, 1932.

Indian—Mahatma Gandhi begins his fast to-day, which is to cease when the demand for separate electorates is withdrawn by the depressed classes. Mahatma Gandhi is allowed to remain in Yerwada Jail where facilities for interviews will be given. In an interview with Press correspondents Mahatma Gandhi reiterates his opposition to separate electorates. The Auditor-General in India, in his report on the accounts of the Assam Government for 1930-31, points out that "from a level of about Rs. 2,70 lakhs attained between 1927 and 1930. the revenue is now estimated to fall to a level of about Rs. 2,25 lakhs, and it has not yet been found possible to reduce expenditure to the same extent." Moslem merchants in Calcutta decide to establish their own Chamber of Commerce. The autumn session of the Council of State begins in Simla to-day. The Assembly to-day accepts a proposal that a Bill to amend the Income-tax Act should be circulated for

opinion. The Conference of representatives of Indian States with H. E. the Viceroy began at 11 o'clock this morning at Viceregal Lodge, Simla.

Foreign—The League Loans Committee (London) presents a memorial to the British Government, drawing attention to the present serious position of the loans issued under the auspices of the League. The publication of the memorandum expressing Britain's attitude on the subject of Germany's claim for equality in armaments causes widespread disappointment and astonishment in Germany. Mr. Isaac Foot, Minister for Mines, in a speech at North Cardigan, to-day condemned the Ottawa proposals, which, according to him, represented " a partisan and not a national policy. "

SEPTEMBER 21, 1932.

Indian—Dr. Moonje announces that a compromise on the question of electorates for the depressed classes has been reached with Dr. Ambedkar. Dr. Ambedkar issues a manifesto formulating the demands on behalf of the Depressed Classes. The Assembly passes the Bill to amend the Criminal Procedure Code so as to prevent the abuse of transfer rights by accused persons. Extracts from the report on police administration in Calcutta and its suburbs in 1931 are published. The Council of State criticise the economy policy of the Government.

Foreign—Several firms of tea growers in London raise the question of higher preference for Empire teas, which, despite the preferential duty, are in a more depressed state than before the budget. The Leader of the Socialist Party is to form Sweden's new Cabinet.

SEPTEMBER 22, 1932.

Indian—Plans are published for the reorganisation of the political activities of the British community in Bengal to meet the coming constitutional changes. Mahatma Gandhi is reported to be showing signs of exhaustion as the result of the fast. The report of the administration of the Calcutta Port shows a decline in receipts during the year 1931-32. Mrs. Kasturbai Gandhi is transferred to Yerwada Jail under the orders of the Bombay Government. In the Assembly Mr. A. H. Ghuznavi withdraws his resolution that a board of management should be appointed for railway collieries and the purchase of coal for the railways.

Foreign—A procession of 2,000 unemployed attacks the Birkenhead Police (London). A set-back is reported in the Lancashire Cotton dispute negotiations. Sweden is reported to be considering the establishment of a state monopoly for external trade in order to regulate exports and imports. Mr. Arthur Henderson states that the Disarmament Conference must now take a final decision either for peace or the renewal of the " mad competition" in armaments, with ultimate war.

SEPTEMBER 23, 1932.

Indian—The Princes' Conference at Simla reach a compromise with regard to certain important questions. Fifty persons are injured in a communal clash at Srinagar, Kashmir, where a " Health Week " procession was attacked. The Assembly to-day referred the Bill to amend the Workmen's Compensation Act to a Select Committee. The Assembly to-day discussed the Ottawa Conference. A Bill to standardise weights and measure in Bombay is introduced in the Bombay Council. The Meerut Conspiracy case is estimated to have cost the Central Government Rs. 16,54,000. The leaders of the caste-Hindus and the depressed classes confer in Poona and after twelve hours the meeting conclude at 9 P. M., and the leaders proceed to Yervada Jail and place the result of their deliberations before Mahatma Gandhi for his consideration.

Foreign—The cotton dispute in Lancashire is settled. A difference of opinion is said to have arisen over the methods of procedure in the Bureau of the Disarmament Conference.

SEPTEMBER 24, 1932.

Indian—Agreement is reached at Poona between representatives of caste-Hindus and the depressed classes. Further minor clashes are reported to have occurred at Srinagar (Kashmir) and death is reported of a Hindu who was injured in Friday's rioting. "Kala-azar is no longer a serious menace in Assam" is a statement made in the Government resolution on the annual public health report of Assam for 1931, which is just published. Confusion was created at the meeting of the Subjects Committee of the All-India Hindu Mahasabha in Delhi this morning when Mr. Amirchand Khosla threatened a walk-out of the members of the Reception Committee. The Bombay Legislative Council rejects the first reading of the Bill to give wider powers to the police in dealing with riotous mobs. Charges were framed to-day against all the eight accused in the Dhalghat case. The terrorist raid on the Pahartali Railway Institute resulted in one being killed and 13 wounded.

Foreign—Mr. J H. Thomas appeals to the Liberal Ministers not to cause a split over the Ottawa agreements. All Chinese Customs houses in Manchuria are said to have been closed. The Indian Trade Commissioner at Hamburg submits to the Government of India a report on the Indo-German trade during the quarter, April to June, 1932.

SEPTEMBER 26, 1932.

Indian—Resolutions condemning the Pahartali outrage and sympathising with the victims are passed by the Assembly and the Council of State. The annual session of the All-India Hindu Mahasabha held at Delhi recently accept the agreement arrived at between the leaders of the caste-Hindus and the depressed classes. The Prime Minister's decision accepting the Poona Pact, so far as it affects the communal award, is announced to-day in the Legislative Assembly and the Council of State. The situation in Srinagar, where there were further communal clashes on Sunday morning, is now reported to be quiet.

Foreign—Mr. de Valera criticises Japan's action in connection with the Manchuria treaty. The mandate for Iraq granted to Britain after the War is to terminate forthwith, simultaneously with the admission of Iraq to the League of Nations. Hostilities in the Shantung Province civil war are reported to have been suspended. The Spanish Premier receives a great welcome at Barcelona where he went to hand over the statute of autonomy for Catalonia. The French Premier utters a warning against the folly of allowing Germany to re-arm.

SEPTEMBER 27, 1932.

Indian—The Assembly resumed discussion on the Ordinance Bill to-day. In a message on his 64th birthday Mahatma Gandhi says that he would support the co-operation of the Congress with the Government "when the proper time comes." Twenty-four youngmen are remanded in custody at Chittagong in connection with the raid on the Pahartali Club. The Committee of the European Association declare that they will oppose any political advance in Bengal whilst the present lawless conditions continue.

Foreign—The Lancashire cotton strike ended with the reopening of the mills on the 26th instant. M. Herriot's (French Premier) recent speech at Gramat arouses indignation in Germany. Attempts are being made at Geneva to induce Germany to attend the Disarmament Conference. The Liberal opposition to the Ottawa proposals gives rise to a new complication

in the British Cabinet crisis, as it is said to be in no way a forgone conclusion that the Simonites will remain in the Government in the event of Sir Herbert Samuel and his colleagues withdrawing.

SEPTEMBER 28, 1932.

Indian—A second attempt on the life of Sir Alfred Watson was made this evening when Sir Alfred was wounded in both shoulders, and a lady companion and the driver in the neck. Two of the three assailants of Sir Alfred subsequently committed suicide, but the third escaped. The Law Member replies to criticisms of the Ordinance Bill in the Assembly.

Foreign—A serious crisis is reported to be brewing in the British Government as the result of the Liberal Ministers' inability to adhere to the Ottawa agreements. Lord Lothian resigns his Office of Under-Secretary of State for India. Empire products are granted preference in a new list of tariffs imposed by Irish Free State. Herr von Papen says that M. Herriot's recent speech complicates further discussion of the disarmament problem.

SEPTEMBER 29, 1932.

Indian—The Bengal Government, in a communique issued in Darjeeling to-day, informs a certain section of the inhabitants of Chittagong that "unless they produce before the local authorities, before October 15 next, sufficient evidence for the apprehension of the perpetrators of the outrage committed at Pahartali on the night of September 24, a heavy collective fine on that section of the community will immediately be imposed." Assurances on the question of the inadequacy of the powers to deal with terrorism in Bengal were given in the Assembly by the Home Member in the course of a debate resulting from an adjournment motion dealing with the latest outrages in Chittagong and Calcutta. Moslem members of the Central Legislature assure the Government of their fullest support in any action contemplated for the eradication of terrorism in Bengal. The annual report on the police administration in Bengal gives a history of the terrorist movement in the province.

Foreign—Reports from Paris show that French alarm at Germany's recent armament proposals has been increased and the situation is considered to be grave Lord Lothian issues a statement to the Press explaining the reason for his resignation from the British cabinet. The five main points of objection to the Ottawa agreements raised by Sir Herbert Samuel and other Liberal Ministers in their letter to the Premier are published.

SEPTEMBER 30, 1932.

Indian—A conference of members of the Legislative Assembly considers methods to stamp out terrorism in Bengal. Jail restrictions in the matter of correspondence and interviews are re-imposed on Mahatma Gandhi. Members of the Bombay Corporation are incensed at the Municipal Schools Bill, recently passed by the Bombay Council The Assembly refers the Ordinance Bill to a select committee.

Foreign—Labour members of Parliament issue a statement expressing their undiminished confidence in Mr. Ramsay MacDonald's leadership. The spinners objecting to the cut in wages, the cotton dispute in Lancashire is not yet settled. Dublin country farmers pass a resolution urging that they should be exempt from paying land annuities. Captain Goering, the Nazi speaker of the Reichstag, outlined the Nazi programme in the course of an address to the foreign Press. More than 75,000 people are said to have been rendered homeless in the Porto Rico hurricane. The bandits who captured Mrs. Pawley and Mr. Corkran demand £120.000 for the release of their captives.

REFORMS ISSUE

OPINIONS ON SIR SAMUEL'S ANNOUNCEMENT

THE announcement made by Sir Samuel Hoare, the Secretary of State for India, in the House of Commons on June 27, regarding the change of procedure in connection with the constitution making for India, called forth vehement opposition all over the country. The new procedure was considered as a grave departure from the original method of the Round Table Conference and did not meet the approval of any political party of India, excepting the Muslim group belonging to the All-India Muslim Conference school of thought. The Congressmen, who were suspicious of the Government procedure of constitution-building for India from the very beginning and were now engaged in a grim fight with the Government, were not interested in the announcement at all. The Liberals who had condemned the procedure of the Simon Commission and had boycotted it, were allured by the original plan of the Round Table Conference to extend their co-operation once more. They were now utterly disappointed and regarded the new announcement as a distinct breach of the definite pledges given from time to time by His Majesty's Government. The Nationalist Mohammedans also thought the new procedure to be wholly unacceptable to the country.

Opinions on the announcement, the text of which appeared in our previous volume, continued to pour in during the quarter under review. The numerous political organisations in the country also met to consider the new announcement and passed resolutions on it. The most important of them and the subsequent developments follow:—

Mr. C. Rajagopalachariar, the Acting President of the Congress, in course of a press interview remarked: "While it certainly breaks pledges, in another sense it is welcome. It puts an end to hopes built on equivocal statements. It was promised that Britain would set India free from foreign control and that a constitution would be drafted for India in accordance with agreed conclusions, no reservations or safeguards being thought of except such as were wanted in the interests of India herself. The Secretary of State has now declared that not what we desire but what a British Parliamentary Committee shall deliberate and lay down shall be the constitution. More than one clear voice representing British policy has with unabated frankness spoken out that the form of the constitution shall be such as, while seeming in India like self-government, must in Westminster show adequate provisions to guarantee continuance of British control and British exploitation. Even moderate politicians have come to realise that the suspicions of Congressmen were well-founded."

Dr. Ansari, the leader of the Nationalist Muslim Party and an ex-President of the Indian National Congress, commenting on the Secretary of State's new procedure, said that as a Congressman he considered the statement much below the lowest demand that the most moderate among the Congressmen could conceive and he, therefore, did not feel in the least interested in it. He thought it beneath notice. Proceeding, he said: "It has, however, served one good purpose. It has made our Liberal friends realise how correct was the attitude of the Congress.

Dewan Bahadur T. Rangachariar, C.I.E., M.L.A., ex-Deputy President of the Legislative Assembly, stated: "Let the Government understand that what India wanted was not a constitution merely given to them after any amount of consultation with any number of eminent individual leaders, but a constitution to be agreed upon by the representatives of the bulk of the Indian public, including Congressmen. So long as this is not going to be, no important section of the Indian public will feel satisfied with the promised unitary bill."

Mr. Gayaprasad Singh, M.L.A., Secretary, Nationalist Party, Legislative Assembly, said: "I am waiting with amused interest to see the attitude of our Liberal and Moderate friends in face of the thundering rebuff which they have received at the hands of the Government. Their threefold "demand" that no new ordinance should be promulgated, that central and provincial responsibility be introduced at the same time, and that the third Round Table Conference be convened, have all been unceremoniously turned down."

Sardar Harbans Singh, M.L.A., in a statement to the press said: "It is gratifying to note that the Liberals and Moderates have resented it and condemned it as much as other progressive politicians But what is wanted at the moment of the country's trial is not bare statements but actions. Feeling as they do about the stiffening of the policy of the British Government as regards India and the departure from the Round Table Conference procedure, it is the duty of these leaders to follow their own previous example in the matter of the Simon Commission"

Sir A. P. Patro in the course of a press statement said. "The statement of the Secretary of State for India contemplates no change in the policy of the British Government; but the alterations proposed in the procedure of the Round Table Conference are of great importance and so they are viewed with anxiety by all those who have been co-operating with the Government The Conference method pursued hitherto at the Round Table Conference was not a failure but the results viewed from the point of view of their primary objects to obtain largest amount of agreement have not been an unqualified success The summoning of another session of the Round Table Conference or of the Federal Structure Committee may not be more fruitful of success than before. A more compact body is more likely to expedite the work and focus discussion and opinions on the real parts in the building up of a constitution"

Mr. E. C. Benthall, delegate to the Round Table Conference, welcomed the Secretary of State's announcement as it assured that the future constitution of India would be embodied in a single Bill The dissatisfaction of the Indian Liberal Party at the procedure outlined was not considered insurmountable by Mr. Benthall, if the power, given to the Joint Select Committee, to confer with India's representatives meant the continuance of the Conference methods. He hoped that the point would be cleared and the valuable work done in London would not be wasted

The Committee of the U. P. Liberal Association, in a communication to the Secretary of State for India, stated: "The Committee regret the decision of His Majesty's Government to abolish the Round Table Conference before it has concluded its important work, notwithstanding the assurances of the Prime Minister in December 1931 and his declaration in the House of Commons; and the Committee cannot but feel that, in the decision now announced, there is a definite breach of engagement by the British Government with the people of India. The procedure which finds favour with His Majesty's Government cannot commend itself to Indian nationalists who objected to similar procedure in connection with the Simon Commission and withheld all co-operation from that body.

"The Committee think that likely more would have been accomplished if His Majesty's Government had set forth their intentions in good time and if they had not allowed needlessly long intervals between the announcement and the conference and between its first and second session and if an obvious attempt had not been made to bring its second session to an abrupt termination.

"The failure of the conference to reach a settlement by consent of the communal question has been made much of. The reasons for the failure of the attempts to reach a settlement were more or less well-known and it was clear at the early stage of the conference that a decision would have been taken by the Government on their responsibility. For the delay on their part in taking and announcing the decision, the conference cannot be blamed. His Majesty's Government have stated they will place before the proposed Committee of Parliament their own proposals which will be the basis of discussion. Surely, the U. P. Liberals can place the identical proposal before the Round Table Conference and proceed to drawing up of the Bill for introduction in Parliament on the basis of the report of the Conference. It will embody joint opinions of Indian equally with British members and not exclusively those of the latter."

The Council of Western India National Liberal Association, in a long statement issued on July 7, stated that the new procedure was at every stage a negation of the fundamental idea underlying the Round Table Conference and an attempt to restore in effect the procedure proposed for the Simon Commission, which had met with such nation-wide condemnation. The Council failed to understand how the Consultative Committee, which contained no representatives of His Majesty's Government or the other British political parties and of the Princes, could be asked without serious departure from the original plan, to function as an advisory body on many subjects of vital importance, without submitting its report for consideration by the parent body along with those of the other committees appointed with it. The Council could not approve of the new proposals to invite a few individual experts to hold "informal discussions" in London on such problems as financial safeguards. Nor was the small body of representative Indians, who might be called to confer with the Joint Parliamentary Committee, expected to negotiate any terms of agreement on behalf of them, as the Indian representatives would not further be a party to the report which the all-British Parliamentary Committee would submit to Parliament As regards speeding up affairs, the Council advised the scrapping of the Consultative Committee and an early publication of the communal award.

In suggesting a time table for expediting the constitutional matters, the Council suggested: "As soon as the award is made a meeting of the Federal Structure Sub-Committee be convened in London with the addition of a few more members, if necessary. His Majesty's Government ought to be ready by that time to place their proposals on the lines generally agreed to at the previous sessions of the Round Table Conference, while proposals can be framed tentatively also with regard to matters like Defence and Financial Safeguards. In case His Majesty's Government do not favour the calling of the whole Round Table Conference the Federal Structure Committee should be given the authority and status to negotiate terms of agreement on all subjects and these should form the basis of the final proposals to be placed before Parliament by His Majesty's Government. The Council feel that, if such a procedure has been proposed, there need not have been even a further stage of the conferring on the part of the Joint Parliamentary Committee with a small body of Indian representatives as now proposed before the Bill is framed."

While appreciating the proposal made as regards the introduction of a single Bill in the Parliament embodying proposals for both the autonomous provinces and an all-India Federation, the Council was of the opinion that the interval between the actual inauguration of the Federation and the conferment of autonomy on the provinces was likely to be unduly prolonged, if Federation were made dependent upon Indian States being "prepared actually to federate" and on the condition that "the proposal to be laid before Parliament to this end must be complete in all its essentials." The Council considered that plan as unnecessarily vague and calculated to give rise to suspicions regarding Government's intentions for the early inauguration of an All-India Federation with responsibility at the Centre. In the opinion of the Council, any scheme which lacked in effect a practical simultaneity in the introduction of reforms in the centre and the provinces was bound to prove fatal to the successful working of the future constitution.

In the opinion of the Council, the whole of the new procedure was no "slight variation" from the original method of the Round Table Conference, but a decisive and deliberate departure from the previous plan, on the basis of which alone Indian Liberals agreed to co-operate. The Council regarded the new announcement as a distinct breach of the definite pledges given from time to time by the Prime Minister on behalf of His Majesty's Government and they, therefore, could not accept it. Concluding the Council urged upon the Executive of the All-India National Liberal Federation to recommend to the Federation to reconsider the whole position of the Liberal Party in regard to all further stages of the constitutional enquiry and to take such further action as they might deem necessary.

The Sikh Independents' League, Punjab stated that it would appear that the British Conservatives were only bidding their time and no sooner had they a majority in the new Parliament than they began to modify the programme laid down at the Second Round Table Conference. Slowly but steadily, they were withdrawing what had been promised to India. From the very beginning Mr. Churchill emphatically proclaimed that Parliament being responsible for the welfare of India, no Round Table Conference should have been called, but a Joint Parliamentary Committee should have been appointed to decide the question of reforms. The League added, "Sir Samuel Hoare has now proclaimed to the world that the fate of the reforms will now be decided by such a committee. Mr. Churchill and other reactionaries are naturally jubilant while friends of Indian aspirations feel depressed, disgusted and disappointed."

LIBERALS RESIGN FROM CONSULTATIVE COMMITTEE

Prominent Liberals registered their protest by refusing to serve in the Consultative Committee of the Round Table Conference. The Rt. Hon'ble Sir Srinivas Sastri on being invited to join the Consultative Committee in place of Mr. C. P. Ramaswamy Iyer declined the offer (July 4) on ground of ill health while Sir Tej Bahadur Sapru, Mr. M. R. Jayakar and Mr. N. M. Joshi tendered their resignations, one by one, from the Consultative Committee on the ground that the variation effected in the procedure was not merely of form, or of procedure, but of substance.

SIR TEJ BAHADUR'S LETTER OF RESIGNATION

Sir Tej Bahadur Sapru in his letter of resignation, addressed to H. E. the Viceroy as Chairman of the Consultative Committee, wrote on July 7, 1932:—

Your Excellency,—I have very carefully considered the official statement of the Secretary of State for India in the House of Commons which was issued from Simla on the 27th June. His Majesty's Government had come to

the conclusion that an expeditious treatment of the outstanding questions will best be secured by following that programme though it involves some variations in method; but, on the contrary, it strikes me as a very vital departure from the method of the Round Table Conference, which attracted so many of us in 1929, when it was announced by Lord Irwin with the authority and concurrence of His Majesty's Government and for the success of which many of us have been working during the last three years.

FUNCTIONS OF THE R. T. C.

The functions of the Round Table Conference were stated by Lord Irwin in his announcement of 1st November, 1929 and further explained by His Excellency in the inaugural address to the Indian Legislature on the 9th July, 1930. According to him, His Majesty's Government conceive of it not as a mere meeting for discussion and debate but as a joint assembly of representatives of both countries on whose agreements, the precise proposals of Parliament may be founded. The same idea was emphasised by the Prime Minister in his speech in the House of Commons on the 2nd December last when he moved a resolution for the approval of his policy as embodied in the White Paper. According to the Prime Minister, " the Cabinet must carry on negotiations until the point is reached when the proposed agreement is initialled, a very well-known stage in the negotiation of treaties. When parties to the negotiation initial it, then, at that point the House of Commons is asked whether it agrees or whether it disagrees. If it agrees, then it is all right. If it disagrees, I think most Governments would regard the disagreement as a vote of "No-Confidence " and would take steps accordingly. "

This procedure was followed up to the conclusion of the last Round Table Conference. Agreements on certain broad questions were arrived at but there were other questions on which no agreements could be arrived at, partly because of the want of necessary material, partly because certain preliminary enquiries were considered to be necessary before the stage of agreements could be reached and partly because the progress of the last Conference was much impeded by the general elections and our failure to come to any understanding on the communal issue. Still, it was hoped that an agreement on the outstanding questions, including safeguards relating to Finance, the Army, etc., would be sought and arrived at after the conclusion of the work of the Committees that visited India by a pursuit of the methods hitherto followed.

IMPLICATIONS OF THE NEW PROCEDURE

The new procedure dispenses with the meeting of the Federal Structure Committee in the Round Table Conference, alters the character and scope of the Consultative Committee and provides for a Conference before the introduction of a Bill between the members of the Joint Select Committee of the Houses of Parliament and select Indians who may be asked to go to England. I shall assume that the position of the Indians, who will, thus, go to confer with the Joint Select Committee, will not be that of witnesses, as it was at the time of Mr. Montagu's Bill in 1919. Nevertheless, it seems we, Indians, cannot be members of the Joint Select Committee, who cannot share their responsibility to Parliament with any outsiders. Further I would respectfully submit that collaboration with the Joint Select Committee is very different in essence from the procedure of the Round Table Conference, according to which agreements had to be reached and proposals laid before Parliament on the basis of those agreements. That essential feature of the Round Table Conference commended itself to Indian opinion as against the procedure of the Joint Select Committee foreshadowed at the time of the Royal Commission, presided over by Sir John Simon.

I submit if there is to be a federation on an All-India basis, it must be the result of a tri-partite agreement between His Majesty's Government, British India and Indian States which ultimately must receive the sanction of Parliament. I venture to think that no room is left under the new procedure for any such agreements being arrived at before the Joint Select Committee.

The Consultative Committee was to be the Working Committee of the Round Table Conference. I shall in this connection refer Your Excellency to the speech of the Prime Minister which he delivered on the last day's sitting of the second Conference. Further, the Prime Minister said, announcing the formation of the Consultative Committee, that in the end we shall have to meet again for a final review of the whole scheme. This idea was further emphasised by him when in answer to a question put by Major Attlee, he said, "Obviously the Round Table Conference will remain and in the end we shall have to meet again for a final review." Similarly, the continuance of the Round Table Conference in some form or other for a final review of the whole scheme was affirmed by Lord Lothian in the House of Lords on the 9th December.

PLEA FOR A SMALLER CONFERENCE

If the Round Table Conference is considered too unwieldy a body, it is open to His Majesty's Government to call a smaller Conference on the same basis. Much success of the Federal Structure Committee was achieved during two years. Its work was due to the wise guidance of Lord Sankey to whose great work I desire respectfully to pay a tribute. I have no doubt, if the Federal Structure Committee could be called to meet again under his Chairmanship, both he and the Committee would be able to show good results, this year, more particularly because one of the impediments, which retarded progress last year, namely, the absence of a communal settlement, would, I understand, be removed by that time. Apart from representatives of Indian States, only 13 or 14 representatives from British India would have to go and I venture to think it would not be larger than that of Indians, who might be sent to confer with the Joint Select Committee, but, even, assuming that, after the conclusion of the work of the Consultative Committee in India, further meetings, of the Federal Structure Committee in London could be considered superfluous, I submit that no valid reasons have been given for dispensing with the meeting of the Round Table Conference on even a small scale.

I cannot but deeply regret that His Majesty's Government could not have attached sufficient importance to the reaction which this variation is bound to have on the Indian mind. With every desire to promote the speedy establishment of the new constitution, I cannot see how the new procedure will tend to any economy of time, if a certain number of Indians must needs go to confer with the Joint Select Committee and if also the possibility of calling a formal body is not excluded in the event of the discussions of the Consultative Committee proving that the matter is not ripe for formulating definite proposals for the consideration of the Joint Select Committee.

ABANDONMENT OF POLICY OF AGREEMENT

I am, therefore, compelled to draw the inference that the method of work, prescribed for the Round Table Conference, which aimed at securing agreements between representatives of India and His Majesty's Government, has been definitely abandoned in favour of a new procedure which aims at mere collaboration. The distinction between the two methods, if I may remind Your Excellency, was pointed out by the Prime Minister himself in his speech in the House of Commons, which I have referred to above. "When,"

said the Prime Minister, "the Simon Commission was set up with the intention that the Government, when it received its report, was to proceed to draft the constitution upon that report and bring it before this House and send it to a Joint Committee of both Houses, and when the Joint Committee has examined the details of the constitution as drafted, the Indians should be invited to come over here practically in the position of witnesses. They would not be co-operators in consultation. They could express their views as a witness expresses his view, but that would be roughly the position they would hold.

I respectfully submit that the position deprecated by the Prime Minister in the sentences quoted above and the position created now do not seem to me to essentially differ. In any case, I think it is far better that there may be some delay, though I cannot see why should there be any, than that there should be room given for the impression that there is a departure from the undertaking, support for which the Prime Minister asked for and got by a vote in Parliament.

UNCERTAINTY ABOUT MATERIALISATION OF FEDERATION

As regards the announcement of His Majesty's Government to definitely decide to give effect to their policy by means of a single Bill which will provide alike autonomous constitution of the provinces and Federation of Provinces and States, I notice from the official announcement from Simla on July 2nd, 1932, that the words used by the Secretary of State, which seemed to me to give rise to the impression that option was given to Provinces to federate or not to federate, was intended to apply only to States and not Provinces. Nevertheless, it seems to me that the whole trend of the statement of the Secretary of State has been denied by introducing Provincial Autonomy first, leaving Federation to follow when the States concerned express their readiness actually to federate and when the proposals to be laid before Parliament are complete in all essentials. This seems to be to involve the actual materialisation of Federation in uncertainty so far as time is concerned. I do not and cannot rejoice at Provinces having autonomous constitutions with uncertainty attaching to the Centre. I do not claim that my views are necessarily sound, but I have maintained them very earnestly and expressed them publicly since 1923 and I believe mere Provincial Autonomy itself, unaccompanied by simultaneous or nearly simultaneous changes at the Centre will make no appeal to the vast majority of politically minded people in this country and, in my humble judgment will retard the progress and unification of the country and prevent Indians from settling down to constructive work. I am fully aware these views are not held with favour in certain quarters, but I would be untrue to my conviction if I were to withhold them from Your Excellency or from the Government.

Much as I would like the Consultative Committee to succeed in its work, I do not think it can be a substitute for the Federal Structure Committee or the Round Table Conference. In the absence of any representatives of His Majesty's Government or British Parties it is obvious that no agreements can be arrived: even though some sort of contact may be established between this Committee and Princes, agreements between British India and Princes would be inconclusive in the absence of representatives of His Majesty's Government and British Parties.

For all these reasons after prolonged consideration of all the issues involved I have come to the conclusion that the variation effected in procedure is not one merely of form but of substance. My faith in the method hitherto pursued continues unaffected, but I have no such faith in the new procedure and I therefore feel I cannot any longer usefully serve on the Consultative Committee which has ceased to be the Working Committee of

the Round Table Conference, and is now an independent body whose work can no longer come up for final review before the Round Table Conference. I therefore feel it my duty to place my resignation from the Consultative Committee in Your Excellency's hands."

MESSRS. JAYAKAR'S & JOSHI'S LETTERS OF RESIGNATION

Mr. M. R. Jayakar, in a letter, dated July 8, conveying his resignation from the Consultative Committee stated that what drew him into co-operation with the work of the Round Table Conference was its method and that they were to proceed in an atmosphere of equality and goodwill and by a process of give and take arrive at an agreement on the constitutional question on which the structure of the future Government of India was to be built to the mutual advantage of India and England. He further said:

"Notwithstanding all the words which the Secretary of State has employed in foreshadowing the future procedure, I cannot help feeling that the Round Table Conference method has been deliberately abandoned.

I am aware of the departure from the usual method which has been made in so far as the proposed conference between members of the Joint Select Committee and select Indians takes place before the introduction of the Bill and not afterwards, but I fear that this slight variation will not secure to India the full benefits of the methods so far pursued. The vitiating feature of the new plan is that, while selected Indians may have all opportunities of making their views known, final decisions will be taken exclusively by the British Government on its own responsibility and not on the basis of agreements arrived at between Indian and British representatives meeting together in free and equal conference with a view to arriving at agreements.

I feel strongly that the pledges solemnly given in this behalf by British statesmen, before and during the session of the Round Table Conference, notably by the Prime Minister, have been abandoned and for the moment, the forces of reaction, have succeeded in England in scotching the method which always appeared to be unpopular in the extreme Conservative circles.

I am sorry that all the good work which we did during these two years and the mutual goodwill and esteem it generated should have been so abruptly brought to an end without the consent and approval of those who had participated in the work. If the work had been allowed to continue and reach fruition, I feel confident that the British people would have proved to the world that they had found a new way by which a proud and ancient people, in the grip of foreign rule, could achieve their freedom by negotiation, goodwill and persuation, forsaking the old methods of embitterment, hatred and revolution, but, unfortunately, this was not to be. Permit me to leave the matter there though one feels tempted to analyse the consequences."

Mr. N. M. Joshi, in communicating his resignation of membership of the Consultative Committee said in his letter "I have given careful consideration to the announcement made by the Secretary of State for India in the Commons on June 27 and I have been forced to the conclusion that the variation now proposed in procedure is not slight, but so marked as to alter the fundamental basis on which efforts have hitherto been made to settle the Indian constitutional question."

OFFICIAL EXPOSITION OF THE GOVERNMENT ATTITUDE

In view of the adverse criticism in responsible quarters on the change of procedure that had been announced by the Secretary of State for India and the extreme disappointment prevailing in the country on this important subject, attempts were made officially to explain the Government attitude on the constitutional reforms and to clear up the 'mis-apprehensions' that had been caused in this connection.

SIMLA STATEMENT REGARDING FEDERATION

First came an official statement dated July 2, 1932 correcting a formal mistake in the Secretary of State's announcement. In the course of his statement in Parliament, the Secretary of State for India dealing with the point that the Federation which His Majesty's Government contemplated would be a federation of all-India said: "The units concerned must be prepared actually to federate." These words gave rise to a misunderstanding in some quarters in India. For instance, in the statement issued by Sir Tej Bahadur Sapru and Mr. Jayakar, it was said, "We must strongly dissent from this proposal if it means that it will be left to the provinces to decide whether they will or will not join the Federation." It was officially announced that the words used by the Secretary of State had no such meaning. They had no reference to Provinces but only to States in whose case, as Sir Tej Bahadur Sapru and Mr. Jayakar recognised, Parliament could only provide for entry on a voluntary basis.

SIR SAMUEL EXPLAINS THE ANNOUNCEMENT

Then followed a speech by the Secretary of State for India on July 7, 1932 at a dinner of the Central Asian Society, London. Delivered on the eve of the momentous meeting of the Round Table Conference Delegates to formulate their policy after a due consideration of the new announcement, Sir Samuel Hoare made an attempt to explain the unhappy misunderstanding created even in responsible quarters in view of the announcement. In elucidating the motives which inclined him towards the new procedure, he pointed out that the need of swift action and definite decision in the field of constitutional reform was constantly impressed upon him. Proceeding he said:

"A long period of uncertainty is bad for everyone. It creates suspicion, undermines authority and saps the foundations of friendship. We here were no less anxious to bring this period of uncertainty to an end as soon as possible and we accordingly came to the conclusion that it was necessary to speed up the procedure under which constitutional changes were being discussed. Our change of procedure meant no change of policy. We are just as anxious to-day as we were when the Round Table Conference first met in London for all the help that we can get from representative Indians. We felt, that if decisions were to be made in any reasonable time, it was quite essential to get away from the big and almost endless formal discussions that we have had for the last two years and substitute for them much more free, intimate and definite consultations. Yet within a few hours of the declaration of this programme, a section of Indian opinion jumps altogether to the erroneous conclusion that we no longer wish Indian co-operation and that the change of method means change of objective. If however, our Indian friends will scrutinise with care and impartiality the programme we have drawn up, they will see that their criticisms are based on a misapprehension of its meaning. Particularly do they seem to have misunderstood the procedure of the Joint Select Committee of both the Houses to which the Government proposals will be referred. For the first time in our constitutional history, a Joint Select Committee of this kind will meet before a constitutional bill has been read for the first or the second time in Parliament. This unprecedented proposal is definitely intended to meet the Indian desire to be consulted before any irrevocable decision is reached. The Government intend to ask both the Houses to agree to a procedure under which Indians will be enabled not only to appear as witnesses but also participate in the discussions of the Committee. I hope I have said enough to clear up finally the misunderstandings that seem to have arisen."

REPLY TO SIR SAMUEL'S ARGUMENTS.

Sir Tej Bahadur Sapru, interviewed about Sir Samuel Hoare's speech, said: "It proceeds on the assumption we have imperfectly understood the new plan and that we are suspecting the motives of the authors of the new plan under the belief that their action is prompted by some ulterior motive The importance of Sir Samuel Hoare's speech lies in both what he has said and what he has left unsaid. First, as to what he has said, he justifies the new plan, saying it will enable them to substitute for the endless formal discussions of the last two years, much more free, intimate and definite consultations It is clear much of this anxiety for expedition has no other objective than immediate Provincial Autonomy Then next, defending the procedure of the Joint Select Committee, he says that the Government intend to agree to a procedure under which Indians will be enabled not only to appear as witnesses but also to participate in the discussions of the Committee. But the right to participate in the discussions does not mean and imply, the right to arrive at agreements with the Government, which was the original basis of the Round Table Conference. We shall no longer have the right to ask the Government, "How far do you agree with us?" under the new procedure. The Select Committee alone can and must report to Parliament. Indians as outsiders can only discuss We have known how the Conservative mind has been working in relation to the Round Table Conference since at least November last when we issued our protest against it in London and also made a formal representation about it to the Prime Minister. It is no use reconciling the irreconcilable. It is open to Sir Samuel Hoare and the Government to say that they have abandoned the old method and deliberately adopted the new one. If there is no change in policy, then, why is Sir Samuel so reticent about the Prime Minister's open declarations about the Round Table Conference reassembling again."

Other moderate leaders also were not satisfied with Sir Samuel's reply to Liberals' criticism In refuting Sir Samuel's arguments, **Sir Chimanlal Setalvad** pointed out that they had scrutinised the new programme with the greatest care and impartiality and with every desire to judge it on its own merits. But the difference between the original and the new proposal was so radical and far-reaching that it was futile to defend the latter by charging the critics with want of care and correct understanding of its meaning and even with impartiality Pointing out some defects of the new procedure announced he further stated: "The deliberations of the Consultative Committee cannot possibly result in any agreement because the British representatives and the Princes are not there. Before the Joint Parliamentary Committee the Government will lay their proposals and having been already committed to them the Government will naturally defend and support them. All that the Indian representatives will then be able to do would be to criticise the said proposals and try to improve them, and the ultimate decision will be that of the Joint Parliamentary Committee. The position, therefore, will be that the Government will put forward their proposals without any agreement between them and the Indian representatives, who will then put forward their view of the said proposals and the Joint Parliamentary Committee will, as judges, decide, in which decision the Indian representatives will have no part."

LIBERALS WITHHOLD CO-OPERATION

A meeting of the members of the Round Table Conference was convened at Bombay on July 9 to reconsider the whole position of the Liberal Party in regard to all further stages of the constitutional enquiry and to take such further action as they might deem necessary. Among those present at the meeting were Sir Chimanlal Setalvad, Sir Cowasji Jehangir (junior), Sir

Phiroze Sethna, Sir P. Thakurdas, Mr. M. R. Jayakar, Mr. N. M. Joshi, Mr. A. Rangaswami Iyengar, Mr. B. Shiva Rao, Dewan Bahadur M. Ramachandra Rao, the Right Hon'ble V. S. Srinivasa Sastri, Mr. B. Y. Jadhav, Mr. C. Y. Chintamani and Mr. S. B. Tambe. Letters and telegrams regretting their inability to attend were received from various members.

RESOLUTION AT THE R. T. C. DELEGATES' CONFERENCE AT BOMBAY

After prolonged consideration a decision was arrived at and the following statement was unanimously adopted:

"The undermentioned members of the Round Table Conference having considered with care the announcement made by the Secretary of State in the House of Commons on June 27 and all the statements since made in explanation thereof including Sir Samuel Hoare's statement of July 7, are constrained to come to the conclusion that the new procedure is entirely different in substance and spirit from the conference method as expounded by Lord Irwin in October 1929 and July 1930 and by the Prime Minister in December 1931. They consider that the new procedure is symptomatic of a new policy and cannot produce in the event a constitution at all so satisfactory as that which the conference method was designed to produce. The result is bound to be a great aggravation of the evils of the present situation. It is the considered and emphatic conclusion of the signatories that the maintenance of the conference method is, as it was, an essential condition of their co-operation and support."

The signatories were C. H. Setalvad, V. S. Srinivas Sastri. M R. Jayakar, C. Y. Chintamani, M Ramchandra Rao, Cowasji Jehangir (Jr.), A. Rangaswamy Iyengar N. M. Joshi, B Shiva Rao, B. V. Jadhav, Phiroze Sethna, S. B. Tambe and T. B. Sapru.

RESOLUTIONS OF ALL-INDIA NATIONAL LIBERAL FEDERATION

The Council of the All-India National Liberal Federation met on July 10 under the chairmanship of Mr. C. Y. Chintamani. Among those present were the Rt. Hon. V. S. Srinivasa Sastri, the Hon'ble Sir Phiroze Sethna, Sir Chimanlal Setalvad, Sir Cowasii Jehangir (Jr.), Dewan Bahadur M. Ram chandra Rao, Pandit Hirdaya Nath Kunzru, Mr. V. N. Chandavarkar, Mr. B. S. Kamat. Rao Bahadur R. R. Kale, Mr. Manu Subedar, Mr. N. M. Joshi, Mr. Kazi Kabiruddin and Mr. P. G. Dalvi. The Secretary of State's recent announcement in the House of Commons was considered and, after prolonged discussion in which many members participated, the following resolution was unanimously adopted:—

"Having given careful consideration to the Secretary of State's announcement of the 27th June, as well as the subsequent explanation thereof, the Council of the National Liberal Federation is convinced that the procedure is a grave departure from the policy of British and Indian co-operation on an equal footing in working out the future constitution of India on which plan and policy alone the Federation resolved to co-operate whole-heartedly with the work of the Conference.

The Council protests emphatically against the abandonment of the Round Table Conference, contrary to the pledges solemnly given on behalf of His Majesty's Government by Lord Irwin and the Premier and the substitution therefore of a method of action which cannot be expected to produce an agreed constitution. The Council, therefore, resolves to withhold co-operation in all further stages of constitutional enquiry and makes it a condition of renewed co-operation that the Round Table Conference method is fully restored.

The Council is emphatically of opinion that though the scheme of the new Constitution is separable into two parts, viz., Provincial Autonomy

and the Responsibility at the Federal Centre, the scheme should be matured and introduced as one whole, as the existence of an interval between the introduction of the two parts is attended with serious disadvantages and risks."

OPINIONS ON LIBERALS' NON-CO-OPERATION

The withholding of co-operation by the Liberal leaders in the further stages of constitution making created a new situation in the country. The revolt of the Liberals placed the Government in a peculiar position. While the **Morning Post** and the diehard section of the British Press underrated the significance of the Liberal manifesto, the **News Chronicle** was unable to see how progress was possible on the lines of Sir Samuel Hoare's speech in the face of the attitude of the friendly section of Indian opinion. It appealed to the Government to make a generous gesture. The **Times of India,** the spokesman of the European community in India, also wrote that confusion became worse confounded, and on the facts before them if non-co-operation could ever be justified Liberals had a sound logical case for refusing their help The Anglo Indian contemporary, after analysing the reactions of Sir S. Hoare's policy, gave its verdict that it was now the obvious duty of the Home Government to retrieve the past, and as quickly as possible to smooth the way for further negotiations.

SIR SAMUEL'S SPEECH IN THE COMMONS

On July 13, 1932 Sir Samuel Hoare made another attempt to persuade people in this country that apprehensions regarding his changed procedure were based on groundless suspicion Replying to Mr Morgan Jones in the House of Commons Sir Samuel * reiterated that he was most anxious to retain Indian co-operation and his only reason for changing the programme was his desire to speed up the procedure.

LIBERALS' MANIFESTO

But all the arguments of Sir Samuel failed to convince the Liberals. They remained firm in their attitude and maintained that the variation effected in the procedure was quite unacceptable to the country. **The Servants of India Society, Poona** issued on August 9, 1932 the following manifesto signed by a large number of prominent Indian leaders including Rt. Hon. V. S Sastri, Sir Syed Ali Imam, Sir Tej Bahadur Sapru, Sir Cowasjee Jehangir (Junior), Sir Phiroze Sethna, Mr N. C. Kelkar, Mr. C. Y. Chintamani, Mr. M R Jayakar, Mr B. S. Kamat, Mr. H. N. Kunzru, Syed Alizaheer, Mr Sachhidananda Sinha, Mr. J N Basu, Dewan Bahadur M. Ramachandra Rao, the Hon'ble Rao Bahadur G. A. Natesan, Rao Bahadur R. Srinivasan, Mr B Shiva Rao Mr. C. V. Venkataramana Iyengar, Mr. T. R. Venkatarama Sastri, Dr. Subbaroyan and Mr. Yakoob Hasan.

"We consider the new procedure announced by the Secretary of State for India on June 27 so grave a departure from the Round Table Conference method as to be unacceptable. It does away with the ideas of equality during discussions between the British and Indian delegates and of the agreement between them on the basis of the proposals to be laid before Parliament. The Round Table Conference method was devised with the special object of serving these two ideas and its procedure could easily be adopted to ensure expedition. We cannot conceive how the R T. C. method can be described as abrogating or bringing into question the ultimate supremacy of Parliament. In the circumstances, we are clearly of opinion that the best interests of the country require that those of our countrymen who may be

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* For full report of the Secretary of State's speech and Indian opinions thereon reference may be made to the Section under the caption of India in Commons.

invited to assist in further stages of constitution making should withhold co-operation unless and until the former method is restored."

With this the estrangement between the Government and the people seemed to be complete.

CONCILIATORY ATTEMPTS TO END THE DEADLOCK

In the meanwhile efforts were being made by friends of India to end the present deadlock between the British Government and Indian Liberal leaders.

Sir A. P. Patro on an examination of the concluding part of the Secretary of State's speech in the House of Commons, thought a single assurance was required from the Home Government to raise the cloud of misunderstanding and to show the way out for all sections of public opinion to co-operate in the new procedure. In his opinion the important issue was what was the relation of the proposed Indian delegation to the Joint Committee. Were they mere "assessors," as understood in the language of the Indian law courts or were they to be mere advisors without being able to shape the discussions? It was therefore necessary to consider the significant reference made by the Secretary of State for India to bringing the R.T.C. spirit into the Joint Committee stage—that the Indian representatives would practically be on terms of equality with the Joint Committee to discuss the proposals of Government. The position or status of the Indian delegates must be made more clear to avoid misunderstanding. A true spirit of co-operation on both sides was more important than the form, because the Joint Committee itself was a consultative body whose proposals were open to review by the British Cabinet, and ultimately by Parliament. He further hoped that the Government of India would take the opportunity and press on His Majesty's Government the need for a declaration that the Indian representatives on the Joint Committee would have equal status.

Lord Irwin, who had recently got a portfolio in the Cabinet speaking at Thirsk on July 16, regretted that moderate men felt it necessary to withdraw co-operation in the constitution-building. He could only think that they had misunderstood Sir Samuel Hoare and had been brought to think that the Government was abandoning the conference method for a method whereby the Government could impose their own decision without further consultation of Indian opinion. Concluding, he said that the Government and Parliament were pledged to a policy designed to confer federation on India and the responsibility for the management of her own affairs subject, during transition, to safeguards essential to the interests of India herself. He believed the policy to be right. If he did not think the Government to be sincere he would never have joined it.

WELFARE OF INDIA LEAGUE

The Welfare of India League in a statement issued on July 15 invited the attention of His Majesty's Government that the already difficult political situation in this country had been rendered still more difficult by the change in procedure recently announced by the Secretary of State for India and the consequent withdrawal of the co-operation of several leading delegates to the Round Table Conference. The Council earnestly hoped that the Government would take into consideration the fact that the change in procedure met with widespread disapproval from all sections of responsible public opinion in India. The Council appealed Government to restore the conference method, the underlying principles of which were equality of status during negotiation and decision by agreement

BRITISH FRIENDS OF INDIA

A dozen British friends of India, including the Reverend R. M. Gray, Mrs. Gray, Sir Phillip and Lady Hartog, Sir Walter and Lady Layton and Lindsay, the Master of Balliol, Professor Gilbert Murray, Miss Eleanor Rathbone,

Lady Stewart, R. A. Wilson, I.C.S., and Sir Francis Younghusband, also intervened to bring about reconcilation. They addressed a letter to Sir Tej Bahadur Sapru and Messrs. M. R. Jayakar and N. M. Joshi pleading that the Liberal decision to non-co-operate was based on natural misunderstanding, and argued that the new plan was the best in India's own interests, as it would expedite the reforms. As an evidence that the British Government's intentions about India had not changed in basic principle, the signatories repeated Lord Irwin's argument that he would not have joined the Cabinet had he found that the Government was breaking faith with India. The letter contended that the principle of joint consultations remained unaffected and invited the Liberals to submit to the Cabinet such change in the details of the procedure as the Indians desired.

In their replies Sir Tej Bahadur Sapru, Messrs. M. R. Jayakar and N. M. Joshi emphasised that the writers were equally anxious to promote co-operation between Indians and Britishers. They did not want a big Round Table Conference. They did not challenge the Parliament's right to deal with the question, but they failed to understand why speed was not possible with the Round Table Conference method. They enquired why Sir Samuel co-operated with the R T. C. during the last two years, if R T. C. methods challenged the Parliament's authority.

Sir T. B. Sapru, Mr. Jayakar and Mr. Joshi further contended that delay in constitutional progress was due to two things. One was the absence of a Communal Settlement, which would shortly disappear, the Premier having undertaken to give an award. The second cause was of the Government's own making, owing to their unwillingness to place their draft proposals before the Round Table Conference The very fact that Sir S. Hoare refused to place his proposals before the R. T. C. indicated that the Government did not want to base the Bill on the measure of agreement to be reached at a Conference, which was totally different from what Lord Irwin, the then Viceroy, declared in the Legislative Assembly and which induced them to co-operate with the Government. The writers did not agree with Sir S. Hoare's proposals of settling the financial safeguards by a Committee of Indian and British experts.

EUROPEAN ASSOCIATION'S TELEGRAM.

The Madras Branch of the European Association in a telegram to the central administration strongly urged the European Association to use its influence to induce the Home Government to modify the procedure in order to make continued co-operation of the Round Table Delegates possible and to preserve the support of Constitutionalists In Bombay also, as a result of consultation with the Chairman of the Bombay Branch of the European Association and the Chairman of the Bombay Chamber of Commerce, a representation was made to the central administration on similar lines.

NEGOTIATIONS WITH LIBERALS

A conciliatory move for reviving the Round Table Conference spirit originated from the Government of India. Things seemed to be moving rapidly in a direction leading to the acceptance of the main objections of the Moderate politicians. Sir C. P. Ramaswamy Iyer, Commerce Member, Government of India, saw the prominent Liberals of Bombay, including Mr. M. R Jayakar, Mr. Mody and Sir Phiroze Sethna, to exchange views on the restoration of the Round Table Conference method in its essentials. Sir Tej Bahadur Sapru, Sir Chimanlal Setalvad and others also saw the Viceroy to put forward the Liberal point of view.

VICEROY'S NEW ANNOUNCEMENT

As a result of all these peace parleys, a policy was adumbrated by the Government of India and was embodied in the announcement of H. E. the

Viceroy in opening the Autumn Session of the Assembly on September 5, 1932.

His Excellency * said: "The approved policy of the British Government, of the British Parliament and of the British people is the introduction of constitutional reforms on the basis of an All-India Federation, coupled with the widest practicable measure of Responsible Government at the Centre and in the Provinces. The Government had during the summer months, been actively engaged in suggesting solutions for further consideration of Lord Sankey's Committee at Home."

Referring to the announcement made by the Secretary of State in June, His Excellency said:

THIRD SESSION OF R. T. C.

"Since this announcement was made, it has become clear that it is not possible to look to the Consultative Committee for the contribution anticipated from it. And in consequence, in order to place His Majesty's Government in possession of the material they will require for framing of their proposals, I am authorised to inform the Hon'ble members that His Majesty's Government have decided that it will be necessary to hold further discussions in London, the possibility of which was indicated in the Secretary of State's statement. His Majesty's Government propose therefore to invite a small body of representatives of the States and British India to meet them in London about the middle of November. They intend, by this means, to make an earnest attempt to reach an agreement consistent with the declared policy of His Majesty's Government upon the important question that still remain to be decided.

DISCUSSIONS ON A FIXED AGENDA

Whilst the status of Indian representatives will be the same as that of the Round Table Conference, the character of the discussion and the stage that has now been reached necessitate a less formal and more expeditious procedure than that adopted during the last two years. This result, they are convinced, will be best achieved by avoiding any public session and by working upon a fixed agenda. The object of the discussions will be to arrive at an agreement upon as large a number of points as possible, as already indicated by the Secretary of State in the House of Commons. The Government will subsequently present for consideration of the Joint Select Committee and of the Parliament its specific recommendations, including the points which have been agreed to, and will of course support them."

OPINIONS ON THE ANNOUNCEMENT

The Council of the Western India National Liberal Association met on September 8 under the presidency of Sir Chimanlal Setalvad to consider the Viceroy's announcement regarding the R. T. C. The Council adopted, the following resolutions:—

(1) The Council while welcoming the decision of His Majesty's Government to abandon the procedure announced by the Secretary of State in his statement of June 27, are of opinion that the new scheme of procedure announced by His Excellency the Viceroy will be acceptable, provided the vagueness and doubt regarding the following points were satisfactorily cleared up so that the conference method may be fully restored:—

(*a*) In framing the agenda for the conference it should not be open to the Government to exclude any questions which the Indian delegates may consider relevant for the purpose of framing the

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* For detailed account of the speech and opinions thereon reference may be made to the section under the caption of Indian Legislative Assembly.

new constitution. It should be perfectly open to the Indian delegates to require that any such question should be included in the agenda and discussed.

(b) Although the press may not be asked to be present during the deliberations of the conference, steps should be taken for keeping the public informed about the course of discussions and the conclusions arrived at from time to time.

(c) While the advice and opinion of experts and businessmen may be invited on financial and other safeguards, these must finally be discussed and decided by the conference.

(d) The hiatus between the establishment of provincial autonomy and responsibility at the federal centre should be as short as possible, not exceeding a few months. In no event should responsibility at the centre be put off because of difficulties attending the creation of the federation.

(2) The Council trusts that the British delegation will include representatives of all parties in Parliament.

(3) The Council further urge that in order to evolve a constitution giving real self-government to India and to make the working of it a success it is essential that measures should be immediately taken to restore a calm and helpful atmosphere of goodwill and to secure the association of all parties in the task of constitution making, and for that end the Council appeal both to the Government and the Congress, respectively, to abandon repressive measures and civil disobedience simultaneously.

The Council of the National Liberal Federation, in a meeting held on September 24, under the presidentship of Mr. C. Y. Chintamani, welcomed the future constitutional procedure announced by the Viceroy on Sept. 5 and expressed opinion that in order to enable the members of their party to co-operate in the work of the next conference it should be made quite clear and beyond any possibility of doubt by an issue of authoritative statement that the discussion will not be limited to any agenda that may be fixed by His Majesty's Government and that it will be within the competence of members to raise any issue to make any proposal relevant to future constitution, including more particularly subjects of defence, Indianisation of army and of a responsible Central Government for the British India. As adequate representation of progressive Indian opinion derives added importance from a severe limitation of numbers, the Council emphasised the necessity of the most careful selection of the personnel of the conference so as to secure a strong leaven of nationalist opinion.

Sir Tej Bahadur Sapru issued on September 7 the following statement on the Viceroy's speech:—"Three things seem to me very clear from this speech, namely, (1) His Majesty's Government will make a correct attempt to reach an agreement consistent with their declared policy upon important questions that still remain to be decided; (2) subsequently, the Government will present to Parliament and the Joint Parliamentary Committee their specific recommendations including those which have been agreed to and will support them; and (3) there will be equality of status in case of Indian representatives at the Conference. This to my mind constitutes a substantial departure from the procedure announced in June last and amounts to going back to the original procedure though no doubt the Conference will be smaller and different in respect of the British personnel. It would however be idle to assume that because the method to be pursued is going to be the same, there will necessarily be agreement on all questions but this is a contingency which has always been present even at R. T. C. One can only hope for earnest efforts on both sides." The statement further added:

"The Viceroy has however given no indication as to the size of the personnel but it is strongly to be hoped that men to be selected will be men with a really broad outlook who will not block the way for responsible Government at the centre. Further, I hope that politicians will not be excluded from the discussion of financial and other safeguards. Businessmen may be depended on for elucidation of the technical side of such safeguards and their effect on economic and financial autonomy but their legal and constitutional aspects must not be ignored.

There is however, one sentence in the speech of the Viceroy which requires being cleared up. His Excellency says: "This result that is, expedition, will be best achieved by avoiding any public session and by working upon a fixed agenda." As there will be no public session, I trust that the proceedings as in the past years will be published but what is more important to know is what precisely is meant by "a fixed agenda." If agenda fixed by the Government will exclude some vital questions on which Indian opinion is keen, then I am afraid such a procedure will altogether fail to afford satisfaction.

Further, while His Excellency has, like the Secretary of State for India in June last, pointed out that His Majesty's Government have decided to proceed by way of a single bill covering both the Federal Centre and the Provinces, I wish he could have used more definite language. That a single Bill may bring us responsibility at the Centre within a short time or it may provide for treaties. I cannot contemplate with any degree of satisfaction the prospect of distant responsibility at the Centre nor rejoice in or even support mere provincial autonomy.

So far as India is concerned, it is no use denying the fact that non-co-operation by Congress in the task of constitution making at the final stage can only tend to add to the difficulties of the situation at present and in future. In the highest interests of the country it seems to be necessary that efforts of all parties should be directed to converge towards the common end which can be no other than that of securing of a constitution giving India real self-government. In order to achieve this end what is necessary at present is not justification of the steps taken either by the Government or by the Congress but reversion of steps so as to make common work possible and to secure the representation of all schools of thought. The successful working of the future constitution will to a very large extent depend upon the amount of goodwill that may attend its inception and the measure in which the present tension and bitterness can be replaced by a spirit of hopefulness and confidence all round."

Mr. C. Rajagopalachari, the Acting Congress President, was not impressed at all by the Viceroy's new announcement. In his opinion the Liberals might walk into the trap but it was clear that the constitution that was being forged could give no true self-government to the people of India or really effect a transfer of power from Britain.

The Rt. Hon'ble Srinivas Sastri considered that the Viceroy's speech was conceived in such a friendly and sympathetic spirit that his appeal for co-operation must meet with sincere response. Moreover two points on which the Liberal Party laid stress, namely, equality of status and agreement between parties had been conceded in the new arrangements. But he thought that altogether the responsibility resting on those, who, after withdrawing their co-operation might now be induced to give it again, was exceedingly onerous and nothing short of decisive success would enable them to come unscathed out of their ordeal.

OTTAWA AGREEMENT

INDO-BRITISH TRADE AGREEMENT

THE Ottawa Conference, as mentioned in our previous issue, was summoned to explore the ways and means for reviving Empire trade and for bringing about closer Imperial unity and recognition of the advantages of mutual co-operation in trade. The Conference opened on July 21 with a benedictive message from His Majesty. United Kingdom, Canada, India, South Africa, Australia, New Zealand and Irish Free State participated in the Conference and presented their view-points on reciprocity of trade preferences.

SIR ATUL CHATTERJEE'S SPEECH AT OTTAWA

Sir Atul Chatterjee who headed the Indian delegation reviewed the economic, fiscal and commercial position of India. In course of his speech on the opening day of the Conference he pointed out that the Conference had a special significance as it was the first occasion on which the leadership of the Indian delegation was not filled by the Secretary of State. Proceeding he said:--

DELEGATION'S NON-COMMITTAL POLICY

"In the sphere of customs and tariffs India has already achieved autonomy in a sense, for, when the Government of India and the Indian Legislature are in agreement, the Secretary of State stands aside and does not exercise power of control vested in him by the existing constitution. The special difficulties arising out of this peculiar situation are obvious and need not be explained at length at the transition stage of the constitutional advance which is approaching a termination. The declarations made by the Government of the United Kingdom after it had taken the counsel of representatives of India at the Round Table Conference envisage the next stage as the establishment of the federal constitution for a greater India including the British India and the Indian States. It was impossible for the Indian Delegation to put out the impending change from their thoughts. When they approach the problems of the Conference they have to keep in view not only the India of to-day but also the India of the future, the India with a large part to play in British Commonwealth. The bearing of a proper share in the common responsibilities and contributing to the welfare of the whole must be the aim of those representing India to-day. They should so perform their task that while India contributes a share to the present task of economic co-operation in British Commonwealth, the Government of Greater India to which every body looks forward in the near future remains free to decide and shape for itself its future policy according to its own conception of the position in the Commonwealth.

INDIA'S ECONOMIC CONDITION

I cannot claim for India that in the economic region she occupies any unique position or her difficulties cannot be paralleled elsewhere though the features of her situation deserve notice like the other parts of the Empire and have been exposed in the full blast of the economic storm. Since the great bulk of the population are primary producers, she like the Dominions and Colonial Empire, experienced at once the full effect of the catastrophic fall in prices, as many Colonies with a very high proportion of population directly dependent upon agriculture as their means of subsistence. While

the average income and purchasing power judged by the western standards are very low like most Dominions, she felt to secure a due balance of her national life. Industrial development which is necessary must steadily be pursued. She adopted the policy of protection in the growth of industries which might have expedited India from the circumstances which resemble those of one part of the Empire or another. But no Colony or Dominion contains a population of 350 millions, three-fourths of the population of the Empire as a whole. No other part of the Empire contains such extensive tracts where the density of population produces pressure upon the soil or causes constant anxiety. Nowhere else the recurring menace of famine has brought about an unequal distribution of seasonal rains, which involve governmental action anything approaching the same scale. No Dominion or Colony has the problem of military defence in the same scale as India outlines.

INDIA'S FISCAL POLICY & DELEGATION'S TASK

India's fiscal policy is largely determined by these circumstances. In the scale of defence expenditure a limited number of sources of central Government look like revenue which render the maintenance of customs revenue of great importance, while the low level or purchasing power with the great mass of the population makes it desirable to keep the central level of duties to moderate limits. The effect on customs revenue of a particular rate of preference requires the closest examination lest the productiveness of a source of income should be endangered. There are commodities, which. in the interests of industrial development, public health, and educational progress, are left in India free of duty except in a financial emergency so acute to over-ride the considerations of policy ordinarily applicable to such cases where there is little scope for preferential rates of duty, and also commodities which are subject to protective duties, on account of the policy adopted by India with the aims of securing an ordered and balanced development.

To avoid some dangers and difficulties to which protection sometimes leads, the industries selected for the protection must possess natural advantages which enable them in the long run to dispense with State assistance and the protective duty is only fixed after a careful examination by the Tariff Board at a level which is adequate for the purpose without imposing unnecessary burden on the consumer. The Government of India and the Delegation feel that such a policy deliberately adopted and founded on experience to work satisfactorily should not be discarded on the eve of constitutional change of great importance and the future scheme of protection should be handed over to the new Government in full working order.

One of the most interesting things of the Indian system is that protection has led directly to what has been the effect, if not the intention, of preference for Empire goods. Two very important cases of iron, steel and cotton piece-goods are found where imposition of a lower rate of duty on goods made by the United Kingdom is entirely consistent with India's interests. We hope that an examination on similar lines of other protected industries may lead to a solution which may be in the interests of India and other parts of the Commonwealth.

INDIA'S EXPORTS OUTSIDE THE EMPIRE

One other aspect of India's economic position may be briefly noticed. Like other parts of the Empire, India can neither meet international obligations nor purchase her requirements of manufactured goods unless she finds a market for raw produce which is exportable and surplus. For certain commodities which may very greatly exceed the Empire's present capacity to absorb, India must find markets outside the Empire for a great bulk of

the exportable surplus products, although in normal years, she purchases a greater proportion of her requirements within the Empire than without. These facts, those who are responsible for India's welfare should constantly bear in mind, for the development of her foreign trade generally is one of her primary interests I hope that the Indian delegation to the Conference will prove an important step to the greater freedom of trade throughout the world.

MONETARY PROBLEM OF INDIA

One item on the Agenda which is of importance cannot be stressed too strongly. Inter-relationship of monetary standards, Empire stability, feasibility of restoring and stabilising the general level of prices and achieving the exchange stability here come as factors which affect the very foundations on which any structured fiscal preferences must rest. The benefits from production of trade of the preferential system will easily be swept away unless supported by a monetary credit policy, giving a reasonable measure of stability to the general level of wholesale prices, which is essential to re-establish equilibrium. With costs and burden all fixed, the semi-fixed money obligations have brought a precipitous fall in the level of wholesale prices. The last three years have created a disequilibria of a character and intensity which, if continued, will have unfortunate and dangerous consequences for the economic life, public as well as private, and finances of all countries—particularly a country like India which is mainly engaged in the production of primary commodities. I contend that determined measures for readjustment are urgently necessary, and express the earnest hope that the Conference would be able to reach an agreement and evolve a plan to bring about the desired end. Although for the full attainment, world-wide co-operation is necessary, much may be accomplished at Ottawa as a preliminary to international discussion.

The Indian Delegation believe that agreements between various parts of the Empire can be reached mutually advantageous to all countries concerned and harmful to none."

GOVERNMENT COMMUNIQUE ON OTTAWA AGREEMENT

After long deliberations and protracted exchange of views agreements were reached with regard to the extension of preference among the different parts of the Empire A Government communique dated Simla, August 20, 1932 ran thus:—

"A Trade Agreement has been reached between His Majesty's Government in the United Kingdom and the Government of India and it will be placed before the Indian Legislature for approval. The Government of India will invite the Legislature to pass the necessary legislation to give effect to the Agreement if approved. In concluding this Agreement the Indian Delegation have throughout kept before them two main principles, viz, extension and development of the export trade of India and the reservation, unimpaired, of the protection enjoyed by certain Indian industries.

SALIENT FEATURES OF THE TRADE AGREEMENT

The following are the main features of the Agreement:—

ENGLISH PREFERENCES FOR INDIAN GOODS

Apart from a few revenue duties the policy of the United Kingdom in the past has been one of free trade, but by the Import Duties Act of 1932, a general duty of 10 per cent ad valorem was imposed on all imports with the exception of certain essential foodstuffs and raw-materials. The operation of this duty was suspended as regards Indian and Dominion products pending the results of the Ottawa Conference. As part of the Agreement

reached at Ottawa, the United Kingdom will continue to give free entry to all Indian goods within the scope of the general 10 per cent duty. The goods will thus receive a preference of ten per cent over all competing foreign goods to which this general duty applies.

In addition, duties on certain foreign goods have been or will be raised to higher levels and the preferences enjoyed by Indian goods correspondingly enhanced. The principal commodities affected are Indian cotton manufactures, coir manufactures, Indian carpets and rugs, jute manufactures, tanned hide and tanned skins, non-essential vegetable oils, sandalwood oil, oil-seed cake and meal rice, groundnuts, coffee, tobacco, tea, spices, castor-seed, bran, pollards, rice meal and dust, teak and other hard woods, pig-lead, magnesite, Indian granite and magnesium chloride.

Further discussions will take place in London regarding the terms on which India pig-iron and semi-finished steel may be admitted free of duty into the United Kingdom, contingent on an Agreement come to with other parts of the British Commonwealth of Nations. The existing preference will also be retained on barley, peas, beans, other pulses and millets, manures, goat skins and asbestos.

Foreign supplies of one commodity which has hitherto been duty free in the United Kingdom, viz., linseed, will in future be subject to a 10 per cent duty, and Indian linseed will enjoy a corresponding preference. This change has been made because of the importance of linseed to Indian agriculture.

There are a number of items of India's export trade with the United Kingdom such as shellac, raw jute, myrobolans, broken rice, mica and Indian hemp where any important competition from outside the Empire takes the form of indirect competition from substitutes. In regard to these, free entry into the United Kingdom will be continued.

The Indian Delegation has discussed with His Majesty's Government in the United Kingdom and representatives of the United Kingdom cotton trade, the means by which a greater use of Indian cotton in the United Kingdom might be stimulated, and these discussions are still proceeding. It is a common ground between the representatives of the United Kingdom cotton trade and the Indian cotton growers that the improvement which has taken place in Indian cotton grown during recent years, has made it praccable for the Lancashire spinners to use substantially larger quantities of Indian cotton than hitherto and that such a development would be to their mutual benefit. There is already a definite trend towards a larger proportion of Lancashire's cotton requirements being drawn from India. His Majesty's Government in the United Kingdom have intimated that they would co-operate in any practical scheme agreed to between the United Kingdom cotton industries and the Indian gowers for promoting a greater use of Indian cotton in Lancashire, whether by research, propaganda or improved marketing.

INDIAN PREFERENCES FOR BRITISH GOODS

On the import side India will give a 7½ per cent tariff preference on certain classes of motor vehicles. On other articles covered by the Agreement the rate of preference will be 10 per cent. These preferences may be given either by an increase of the duties on foreign goods or by a reduction of the duties on the United Kingdom goods or by a combination of both the methods. The 10 per cent preference extends to the following classes of manufactured goods:

Building and engineering materials, chemicals, drugs and medicines, earthenware and porcelain, furniture and cabinet ware, hardware, instruments, apparatus and appliances (electrical, musical, photographic, scientific,

surgical, wireless and miscellaneous), leather manufactures, aluminium, copper, lead, German silver, zinc, brass and similar alloys and manufactures thereof, painter's materials, paper and stationery, rubber tyres and other manufactures of rubber, vehicles not mechanically propelled and cycles. In these classes of goods, preference is subject to certain specified exceptions, which will be announced later and also to the general reservation that it goes not extend (a) to the commodities to which protective duties are applicable, (b) to those which are free of duty at present or (c) to those on which, on grounds of national policy, a specially low rate of duty has been imposed.

The 10 per cent preference is also applicable to the following miscellaneous manufactures, to certain articles of food and drink, and to certain oils enumerated below:—

Miscellaneous manufactures: Asbestos manufactures, boots and shoes of leather, brushes, metal buttons, cordage and rope (with certain exceptions), cork manufactures, cutlery, glue, leather cloth and artificial leather, smokers' requisites, toilets, toilet requisites, toys and requisites for games, umbrellas and umbrella fittings, filled cartridges and cartridge-cases, oil cloth and floor-cloth, engine and boiler packing and perfumed spirits.

Articles of food and drink: Ale and beer, cocoa and chocolate confectionery, tinned or canned fish, canned or bottled fruit, canned or bottled provisions (with certain exceptions), condensed and preserved milk, oils, fish oil, synthetic essential oil, natural essential oil (with specified exceptions), mineral lubricating oils other than bathing oils, paint solutions and compositions containing oil and classed as dangerous, and vegetables non-essential oils, with specified exceptions.

In the case of iron and steel goods, the 10 per cent preference extends only to those commodities which are not subject to protective duties, and in the case of machinery, only to those articles which pay the ordinary revenue rate (25 per cent ad valorem) and not to those which, in interests of agriculture and industries, are free of duty or are subject only to the temporary duty of 10 per cent.

In the case of textiles, it extends only to articles of apparel, haberdashery and millinery which are dutiable at 25 per cent ad valorem and to woollen manufactures with specified exceptions in each case.

No decision is possible as regards goods made of cotton, silk and artificial silk until the recommendations of the Indian Tariff Board on the Cotton Textile Industry have been received and considered, but it has been agreed that when decisions have been reached, the 10 per cent preference will be extended to these goods with the exception of artificial silk yarn and articles on which protective duties may be imposed.

EXCHANGE OF PREFERENCES WITH THE COLONIES

With a view further to develop the external market for Indian manufactures and agricultural products, arrangements have been made for the exchange of preferences with the Colonies and Protectorates, which will, generally speaking, extend to India the full benefits of their preferential tariffs. When these exchanges become effective, this will involve the grant of preferences to India on cotton manufactures and on such commodities as tea, coffee, oil-seeds and vegetable oils, paraffin wax, carpets and rugs.

The Agreement also provides for the grant by India of preferences on certain commodities which are staple exports of the Colonies including specified gums and resins, oil-seeds, vegetable and essential oils, unground spices, cocoanuts and cocoanut products, fish, fruits and vegetables, sago and tapioca, rum and unmanufactured tobacco, but excluding sugar.

TENURE OF THE AGREEMENT

The Agreement between His Majesty's Government in the United Kingdom and the Government of India shall continue in force until six months after a notice of denunciation has been given by either party; provided, in the event of circumstances arising which, in the opinion of either party, necessitate a change in the rates of duty or the margins of preference settled by agreement on any particular description of goods, that party shall notify and consult with the other party with a view to adjustments being agreed upon. If no agreement is reached within six months of the date of such notice, it shall then be open to the original party to give to the other party six months' notice of his intention to carry into effect the change desired in the rate of duty or margin of preference on goods of the description named in the original notice, and to bring the revised rate or rates into operation at the expiration of this period.

POSSIBLE TARIFF AGREEMENTS WITH DOMINIONS

Conversation have taken place between the Indian Delegation and the Delegations representing the Dominions on the subject of possible tariff agreements, but time did not permit of a consideration of this question being advanced beyond the stage of preliminary discussion. The Government of India will be prepared to consider the matter further when they will receive the full report from the Indian Delegation."

OPINIONS ON THE AGREEMENT

The Indo-British Trade Agreement reached at the Ottawa Conference did not meet the general approval of the Indian mercantile community and was widely commented upon all over the country.

The Indian Merchants' Chamber, Bombay, in a communication to the Government of India, pointed out that considering the nature of India's trade returns, the balance of advantages would obviously be against India. Any preference given on raw materials and foodstuffs, which were subject after all to world prices, would benefit not so much the seller as the buyer and therefore the claim that England was benefiting India by not taxing Indian raw materials and foodstuffs would indeed be seriously challenged. In any event, it left the position that the foreign countries which were purchasing raw materials and foodstuffs from India of a larger value would resent the unprovoked and uncalled for imposition of differential tariffs against them by India and would, therefore, turn to alternative sources wherever they were available. The reduction of the existing duties in favour of Britain, was out of the question as it would be equivalent to making the Indian tax-payer pay for preference to Britain. The imposition of other burdens to make for the loss of revenue on that account would be very greatly resented throughout the country and would be a serious deterrent to the revival of trade which everybody was seeking. On the other hand, the imposition of additional duties on goods of non-British origin would in the case of some essential articles be an intolerable burden on the consumer. If the Government attempted to carry the Ottawa Agreement through the Assembly with the support of the official block and the nominated members, it would only strengthen the widespread suspicion about Britain's economic motives with regard to India. The absence of any programme on the part of the Government of India for advantageous trade agreements with India's far more important customers than Britain was to be regretted. The Committee further thought that the canalising of India's trade in Empire channels by means of tariff walls was opposed to the revival of world trade and stabilisation of world exchange. Preference should begin at home first and the supreme preference by India must be for things Indian.

Buyers' and Shippers' Chamber, Karachi, commenting on the Trade Agreement said that the apprehensions that the Indian commercial community felt when the personnel of the Delegation was announced, had been fully justified. The Indian commercial community could not and would not agree to the Ottawa agreements, because they felt that Imperial preference was a direct negation of the so-called fiscal autonomy, that India was often told she enjoyed. There were many other aspects of India's foreign trade that required elucidation before India could agree to Imperial preference. One of them was that India's right to safeguard its own industries against all non-Indians, Imperial or otherwise, should be recognised and allowed to be exercised unhampered by outside considerations. Imperial preference was after all an amicable arrangement between several willing parties who could give and who could take. In case India endorsed the Ottawa decisions, then it would be made to give. There was very little left for her to take. Exemptions to the arrangement were very significant. They indicated the direction in which India would stand to lose if her Legislature was coerced into endorsing the decision.

Sir Purushottamdas Thakurdas in an interview on the Ottawa Agreement said that the Indian Delegation had embarked on an experiment which might prove prejudicial to India's agriculturists for some years to come. While appreciating Britain's proposal to remove linseed from the duty-free list and the possibility of the cotton, pig iron and semi-finished steel exports into Britain increasing as the result of the agreement, Sir Purushottamdas thought that the preference had not been made conditional on practical gains to India and therefore apprehended that the experiment which was being tried might seriously disturb India's export trade with other countries, and it might also be possible that agriculturists and exporters might suffer during the period of transition to a length which he was unable to foretell.

Mr. Naliniranjan Sarkar thought that the balance of advantages heavily favoured Britain. Presiding at the quarterly meeting of the Bengal National Chamber of Commerce Mr. Sarkar said: "I refuse to admit the finality of the Ottawa agreement even if the Government succeed in coaxing the present Assembly to nod assent. I will assure them that this country will have something quite different to say in this matter and it will be said in an unmistakable tone. Fiscal freedom of the country and its right to determine its own tariff will not brook interference from London—India will refuse to be used as a prop for Britain's crumbling economic structure." Proceeding he said that if equality of advantage was admitted as the principal guide, mutual preferential tariffs proposed in the agreement could not be too strongly condemned. He suggested that an open enquiry by a fiscal commission was the proper and honest method of ascertaining the suitability of Imperial Tariff preference.

Mr. G. D. Birla interviewed on the Ottawa Agreement said that the advantages that were likely to accrue to India were far outweighed by the disadvantages from which she would have to suffer. This could hardly be called a fair deal. Mr. Birla added that the agreement also carried a prejudice as it was not concluded between the accredited representatives of India and England but between England, represented by the best brains on the one side, and Indians who were the nominees of the Government of India on the other side.

Lala Jaswantrai, President of the Karachi Indian Merchants' Association, in a statement on the Ottawa trade agreement said: "Imperial preference involves not reciprocal advantages to India and Britain, but a sacrifice on the part of India in British interests. For India to endorse the Ottawa Agreement will be suicidal. India, as such, was not really represented at

the conference. Her economic policy cannot be settled without any reference to her political status. She can enter into a trade agreement only when she deals with equals through her own chosen representatives. Before India can grant preference to Britain in her markets, her right to regulate her internal industrial life primarily in her own interests, has to be fully recognised. No one can view with complacency India's economic life being dominated by British vested interests and her foreign trade also handed over to Britain as a gift. She can only alienate friendly foreign markets by giving preference to Britain in the Indian markets."

Mr. C. V. Venkataramana Iyengar, President of the Southern India Textile Association, was of the opinion that though much was said about favours to be shown by England to her imports from India in the case of jute and shellac which were produced only in India, she did not require any favour from England unless it included all manufactured goods out of jute or shellac in India. But the greatest omission and disappointment was as regards cotton imported from India as, excepting a vague suggestion that England might probably consider some ways of popularising Indian cotton in England, there was no definite promise or agreement under which India could have any reasonable hope that Indian cotton would be preferred to other cottons in England.

Mr. R. R. Haddow, Chairman of the Bombay Chamber of Commerce, thought that, from India's point of view, her agriculture would definitely benefit, whilst Indian piece-goods should also be able to obtain greater footing in the colonial markets, particularly in East Africa where Japanese were presently making efforts to capture the trade. Similarly India would benefit in respect of linseed and pig-iron.

Sir Phiroze Sethna stated that as a result of giving preference to Indian goods in the United Kingdom, he thought many new markets and preferred markets might become available for Indian goods. If it was possible to get favourable entry for Indian cotton, oilseeds and grains in the United Kingdom, the export trade of the country would be greatly benefited. If Britain was serious about absorbing a fair percentage of India's agricultural produce, India ought not to object to preferential duty on British imports in cases where manufactured articles did not compete with the established industries of the country.

Mr. M. Jamal Mahomed, President of the Southern India Chamber of Commerce and ex-President of the Federation of Indian Chambers of Commerce, stated that as one of the Nationalists who had refused to recognise the authority of the " delegation " to speak for India. he had nothing to say on the subject. " The thing cannot be final," he later on added and said he was content to leave everything to the Federation.

Burma was disappointed at having no special rice preference under the Ottawa agreement.

RETRENCHMENT PROPOSALS

BENGAL RETRENCHMENT COMMITTEE

THE Bengal Retrenchment Committee,* appointed to review the expenditure of the Government of Bengal and make recommendations as to any economies which might reasonably be effected in view of the present financial situation, continued to receive memoranda and to hear evidences during the quarter under review.

MEMORANDUM OF BENGAL CHAMBER OF COMMERCE

In their memorandum to the Bengal Retrenchment Committee the Committee of the Bengal Chamber of Commerce, pointed out that they were decidedly of the opinion that drastic retrenchment in the present scale of expenditure was necessary. The Committee held that internal economies could be afforded departmentally and suggested that the heads of all departments in Government offices should be instructed to institute special enquiries directed towards that end. Curtailment of services carried on for public convenience was necessary and the Committee thought that in the case of essential services at any rate the principle to be kept in view should not be the withdrawal of service but its provision to the public at a low cost. The Committee urged that notwithstanding grave financial stringency, there must be no question of reducing the strength of the Police. Regarding the proposal about the posts of Commissioners of Divisions, of which there are five in Bengal, the Committee opined that the step would be inadvisable at present, as momentous changes were taking place in the whole fabric of the constitution, requiring the service of a grade of senior and responsible officers. The Committee suggested that the number of Executive Councillors and Ministers might be reduced and thought that the work might be re-arranged between three Executive Councillors and two Ministers. The Committee regarded that the appointment of Surgeon to His Excellency the Governor might be combined with some other appointment and recommended investigations with regard to the work of Executive and Assistant Engineers of Public Works Department on duty in Calcutta and the Irrigation Department. In the opinion of the Committee the retention of the Circle Officers was no longer essential and the yearly hill exodus not justifiable. As regards holidays and leave the Committee was of the opinion that the leave allowances in Government offices were extraordinarily generous and the holidays allowed were on a very liberal basis. The Committee urged that the question of increasing the work of hour, say, by one hour should be exhaustively investigated. In some cases where reduction of staff was not possible, the Committee suggested the stoppage of recruitment, and in cases where reductions were possible it should apply in the first place to persons whose period of service had extended the age limit. The Committee recommended that all increment should for the time being be suspended and promotions should be without increment of salary. The Committee considered that there should be room for retrenchment in the matter of allowances such as house allowance, travelling allowance, etc. The hours observed in the courts, arrangements in regard to jury trials and the work of the sessions, in the opinion of the Committee, needed adequate consideration.

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*The appointment of the Committee and a summary of the memoranda received by the Committee were given in the previous issue.

while the Coroner's Court might be dispensed with. The Committee thought it possible to make reductions in the strength of the establishment of the Government Press and in expenditure in connection with the Calcutta Gazette. The Committee also invited attention to the possibility of reduction in the expenditure of higher education and asked the Retrenchment Committee to examine closely the expenditure incurred on technical education and the usefulness of continuing technical research works for the present and in this connection mentioned the name of Bengal Research Tannery, the Department of Industries and sericultural work. The Committee suggested that a Department such as the Bengal Smoke Nuisance Commission might be suspended and retrenchment brought about in the Department of Co-operative Credit Societies. In conclusion the Committee said: "It is, perhaps, not within the province of the Retrenchment Committee to examine possible sources of increased revenue, but the Committee draw attention to the statement which appeared a few days ago in the press to the effect that the United States Revenue Bill has included a tax of five cents per one hundred dollars on the sales of futures on the produce markets. A similar levy in this country would be of considerable benefit to the public revenues."

MEMORANDUM OF BENGAL NATIONAL CHAMBER OF COMMERCE

In a memorandum submitted to the Bengal Retrenchment Committee, Bengal National Chamber of Commerce took strong exception to the suggestions of the Bengal Chamber of Commerce for effecting substantial reduction in the expenditure of such nation-building departments as dealt with higher education, technical researches, development of industries, agriculture and co-operative credit societies. The Committee stressed the necessity of confining the operation of the "axe" as far as possible to departments other than nation-building ones. It was regrettable, in the opinion of the Chamber, that in a country which was so backward in the matter of economic development, as compared with other advanced countries, expenditure on nation-building departments should form such a small percentage of the total expenditure of the Government. The expenditure 'per capita' on nation-building services in this province was the lowest among all the Indian provinces except Bihar and Orissa; in fact, as compared with Rs. 1.59 in Bombay, 1.40 in the Punjab and 1.00 in Madras, the expenditure per head in Bengal on nation-building services was only 0.58 in 1928-29. The Government always pleaded the lack of funds in support of their inability to go in for any big schemes for exploiting the immense industrial and agricultural potentialities of the province and the departments concerned have had to carry on with considerable handicap. The Committee also emphasised the necessity of the Government taking initiative in rendering some constructive services in the direction of agriculture and industrial development of the province to solve unemployment among the young men of middle class community. Besides, there was present large scope for the development of cottage industries in the province, and it was the considered opinion of the Committee that the Industries Department of the Government of Bengal and the other associated departments got immense potentialities in this direction, if only sufficient funds were allowed to them. They urged that sufficiently drastic retrenchment should be effected in other departments in order that larger sums might be made available for the discharge of the responsibilities of the Government with regard to the nation-building services. If however, retrenchment in the administrative cost were not sufficient to leave any surplus funds for use by the nation-building departments, the least that the Retrenchment Committee should do was, in the opinion of the Committee of the Chamber, to leave the latter absolutely untouched.

G. P. RETRENCHMENT SUB-COMMITTEE'S REPORT

The third part of the General Purposes Retrenchment Sub-Committee's report, issued on July 30, 1932, deals exclusively with the expenditure incurred by the Foreign and Political Department of the Government of India. The Sub-Committee was composed of members of the Central Legislature and was presided over by Sir Abdur Rahim.

The report consists of 263 pages and is exclusively devoted to expenditure controlled by the Foreign and Political Department. Besides giving a complete picture of the organisation and present expenditure on each political unit, it contains an exhaustive survey of the scope for retrenchment in the North-West Frontier Province, Baluchistan, Ajmer-Merwara, Rajputana, Central India, Hyderabad, Bangalore, Western India States Agency, various residencies and political agencies in and on the borders of India and those in Persia, Arabia, the Persian Gulf, Littoral Afghanistan and miscellaneous political expenditures in India and abroad, Indian States forces, Malwa and Merwar Bhil Corps and the Watch and Ward of the North-West and North-East Frontiers.

EXPENDITURE IN THE FOREIGN & POLITICAL DEPARTMENT

Of all the civil departments of the Government of India the Foreign and Political Department controls the largest civil (non-commercial) expenditure amounting to a little over six and a half crores. Since detailed estimates of this wholly non-voted expenditure, which forms seventy per cent. of the total grant, are not supplied to the Legislature such expenditure is excluded from scrutiny by the Legislature. In various "critical" years, namely, just before the War (1913-14), in the first year of the Reforms (1922-23), the year after the Inchcape Committee's report (1924-25), and the current year (1931-32), expenditure has been growing steadily, that is from Rs. 122.41 to 277.21 to 276.05 and to 355.48 lakhs respectively despite the savings of Rs. 36.02 lakhs recommended by the Inchcape Committee.

COMPLEXITY OF EXPENDITURE

The report contains a critical survey of the complexity of political expenditure due to the following reasons: (1) in at least two cases, if not three, the expenditure reviewed is comparable to that incurred in the smaller of the major provinces, (2) non-voted estimates are not so dependable as voted estimates which are placed before the Legislature, (3) Mr. Jukes's review disposed of the progress of political expenditure in a few pages—hence authoritative details were not available, but the Committee claims that its report supplements Mr. Jukes's review in this respect and brings it up-to-date in far greater detail, (4) numerous accounting changes and certain fundamental changes of policy have taken place which tend to obscure the progress of expenditure and (5) the system for division of expenditure and exercise of administrative control is very complicated.

IMPORTANT RECOMMENDATIONS

Following are among the more important of the general recommendations of the Sub-Committee:

(1) Financial control over expenditure might perhaps improve if an under-Secretary is placed directly under subordination to the Finance Department; (2) detailed political estimates should be placed before the Legislature just as detailed estimates of military expenditure are furnished; (3) special pays, numerous allowances and certain concessions and amenities which are payable or available on generous scales in this department should be scrutinised afresh; (4) certain Imperial burdens fall on Central tax-payers and equity of their incidence should be examined; (5) certain classes of political expenditure are essentially military in character and these should

be included in estimates of military expenditure, and both being "non-votable," there would be no retrogression; (6) a further reduction in the number of subordinate political agencies might be found feasible; (7) the system of attaching surgeons to residencies and agencies is getting out of date; (8) as regards local funds expenditure, this should be sorted out into (a) local and (b) provincial and central, and even if it is found inexpedient to lighten taxation in the administered areas, the expenditure on central and provincial activities, though financed ultimately from local funds, should be set forth in full in estimates whether these are placed before the Legislature or not; and (9) the pace of Indianization in this department is very slow, and agency should and must be cheaper.

REDUCTIONS OF EXPENDITURE PROPOSED

The total reduction proposed by the Sub-committee in a budget of about six and a half crores is a little over one and one-third of a crore or a little over twenty per cent. The following are among the important reductions of expenditure proposed for N. W. F. Province and other agencies. The proposals are based on the figures, system and conditions of administration as given in 1930-31 estimates.

N. W. F. Province—The capital outlay on forest schemes should be slowed down, budget being reduced by Rs. 2 lakhs with general administration reduction of Rs. 1.02 lakhs. The Chief Commissioner should be invited to voluntarily curtail certain of his privileges. Chief Commissioner's tour charges should be reduced. The post of Mir Munshi might be amalgamated with that of an Indian Assistant or Registrar. As the number of Deputy and Assistant Commissioners' post has increased disproportionately to the number of subordinate Gazetted posts, it might be possible to reduce a few of the former. (Judicial) Nothing should be done to hamper the growth of modern judicial system. The temporary post of additional Judge might perhaps be abolished. (Jails) Expenditure has nearly doubled since 1924-25; Budget should be reduced approximately to the level of 1913-14, but no reduction in the scales of dieting, clothing, etc. should be made. (Police) Expenditure has grown from 27.04 lakhs in 1924-25 to 35.20 lakhs in 1930-31. Such a growth will be an unduly heavy strain on the resources of the province under the reforms. Sub-committee proposes a normal budget of Rs. 27 lakhs. (Political) Expenditure has grown from 22.11 lakhs in 1924-25 to 32.31 lakhs in 1930-31. Under the accepted policy of peaceful penetration, it should be possible to reduce the expenditure considerably. 'Prima facie' post of Resident in Waziristan is superfluous. The provision for Assistants' posts should be made on the basis of actual appointments.

Baluchistan—(Land revenue) Accurate records of land titles and claims are a necessity. All the same half lakh can be saved. (Excise, Stamps, Forests and Registration) Departmental offer to save Rs. 11,000 in a budget of Rs. 97,000 is satisfactory. (General Administration) The provision is largely for the upkeep of the Residency and other gardens, road arbouriculture and staging and dak bungalows. Expenditure of this kind is amenable, and should be subjected to serious reduction in times of financial stringency like the present. A reduction of at least Rs. 40,000 should be possible. (Justice) No reduction. (Jails) Expenditure has grown from Rs. 70,000 in 1924-25 to nearly Rs. 2,50,000 in 1930-31. Budget should be reduced by half a lakh. Even then it will stand at a figure two and a half times the actuals of 1924-25. (Police) Expenditure has been rising almost continuously. A tendency of overestimating noted by Mr. Jukes in this budget has been pointed out. The current provision is over 15 per cent. in excess of the actual expenditure of 1928-29, and it should be possible to save one and a half lakhs. One Officer's post and Superintendent's special pay should

be cut out. The growth of police force by 8 per cent. in one year is excessive and strength should be reduced to the level of 1928-29. Prima facie the scales of pay for new police should be capable of reduction. Cost of special police force for the Central Jail should be shown under head Jails. (Political) Department's offer to reduce the expenditure by 1.87 lakhs so as to take it back to 1924-25 level is satisfactory. Chagai Agency should be abolished. The Revenue Commissioner need not be on the same scale of pay as in the N. E. F. P. The special pay of Rs. 350 to the Residency Surgeon is excessive. (Education) No reduction. (Medical and public health) Departmental reductions have as an exceptional case been accepted. (Agriculture, Veterinary, etc.) Fruit farm and agricultural officer and his establishment should not be developed. Sub-Committee also recommended a saving of Rs. 20,000 in special pays and allowances. Sub-Committee in all recommend a total reduction of Rs. 10,25,000 in the grant for Baluchistan.

Ajmer-Merwara—Payment of rents and payment to shareholders in Government managed forests should if possible be made annually. Arbouriculture being a local activity should not be financed from General revenues. New and uncompleted schemes should be held in abeyance. Commercial undertakings, e.g. charcoal making should be abandoned. Capital outlay should be slowed down. Establishments should be reduced. Extra-Assistant Conservators' Special pay of Rs. 100 should be reduced. (General Administration) Commissioner's charge is light and the officer is borne on the regular cadre. Hence no special pay is required. Establishments have grown unduly rapidly and can be reduced. (Police) Two Gazetted Officers are not necessary. The post of Superintendent of Railway Police might perhaps be amalgamated with that of the District Superintendent of Police, as has been done in the U. P. (Education) No reduction. (Jails) Jail duty allowance to the Civil Surgeon should be reduced to Rs. 100. Establishment has grown from 38 in 1926-27 to 50. Budget should be reduced by Rs. 5,000 but no reduction should be made in the scales of dieting, clothing, etc. (Medical) Duty allowance of Rs. 250 to the Civil Surgeon should be abolished. (Miscellaneous) The Electrical Inspector's duties should be made over to an officer from the local Railway staff. (Famine Relief) The provision of Rs. 1,31,000 should automatically disappear. In all the Sub-Committee proposes a total saving of Rs. 3.02,000. As to question of amalgamation the Sub-Committee points out that it has confined itself strictly to retrenchment under the present constitution and administrative arrangements. The fact that it has made no recommendation on the question whether it is feasible to amalgamate the administration of Ajmer-Merwara with that of either the U. P. or of any other Province should not be interpreted to imply that it approves of the present position.

Rajputana—(Police) From Rs. 2,18,000 in 1924-25 expenditure has in effect grown to Rs. 3,92,000 in 1930-31. Inchcape Committee contemplated a budget of Rs. 1 lakh. The post of I. G. of Police and his establishment are not necessary. Other minor economies aggregating Rs. 11,000 should be effected. Future budget should be Rs. 2,42,000—60 per cent. higher than the net budget recommended by the Inchcape Committee (Political) The posts of Personal Assistant to the A. G. G. and Financial Assistant are superfluous. The Civil Surgeon's special pay of Rs. 250 should be abolished. Monthly allowance of Rs. 100 to a R. A. M. C. officer for civil medical duty cannot be justified. As Bikaner now deals direct with the A. G. G. the number of subordinate political Agencies can be reduced. Assistancies can, if necessary, take the place of some of them. The feasibility of reducing their number to three should be considered. Prima facie the Eastern Rajputana State Agency might be absorbed in Jaipur Residency and the Maraoti and Tonk Agency

might be absorbed in or attached to the Udaipur Residency as a Residencial Assistancy. The post of Surgeon at Mewar Residency should be abolished. The visiting and inspecting medical allowances should be abolished. (Mina Corps) The utility of this corps under present conditions is doubtful. (Education) Mayo College should be maintained by the Princes and Chiefs for whom it is almost exclusively intended. Committee on their proposals expect a total saving of Rs. 3,42,000.

Central India—(Excise) Prima facie the post of Excise and Opium Commissioner can be abolished; in any case the special pay of Rs. 300 is no longer justified. Allowances to the Cantonment Executive Officers should also be abolished. (Police) In the light of police organisation in Mahikanta Agency three Gazetted Officers cannot be needed for a police force of 48 men. The special pay of Rs. 100 for the Superintendent is no longer justified. (Political) Bundelkhand and Sadhelkhand Agencies should be amalgamated. The feasibility of abolishing Bhopal Agency should also be considered. The post of under-Secretary is not needed. The department's action in abolishing certain posts is approved. The Residency Surgeon's post is no longer needed; the special pays and allowances aggregating to Rs. 1,142 per mensem, when his substantive pay is Rs. 1,500 plus £30 overseas pay, are considered excessive. Government attention has been drawn to this case as typical of the tendency for extra emoluments growing unduly. If Nowgong Agency Surgeon's duty allowance should be abolished, even then his extra emoluments will stand at Rs. 425 per mensem. The post of Agency Surgeon, Bhopal should be abolished. If so, the post of Residency Surgeon, Indore might be retained though with reduced special pays and allowances. The new item of Rs. 350 p. m. for a District and Sessions Judge for his work as a sort of judicial commissioner should be cut out. The Political Agent, Bhopal's sumptuary allowance of Rs. 100 was sanctioned only recently and should be cut out. (Justice) One of the two judicial posts at Mhow and Neemuch might be abolished. The special pay of Rs. 200 and a compensatory allowance of Rs. 100 for one of these judicial officers is no longer needed. (Education) Bally College is intended primarily for the benefit of Princes and Chiefs in Central India. A subsidy from Central Revenues is no longer justified. Sub-Committee expects a reduction of 3¼ lakhs should be possible.

Hyderabad—(Political) Either the under-Secretary or the Assistant Secretary's post should be abolished. The department's action in replacing the Personal Assistant by a part time military officer is approved. The Residency Surgeon's post is altogether superfluous. The allowance of Rs. 350 p.m. to a District Judge from one of the Madras districts for his work as Additional Judge in the court of the Resident is excessive, and should be reduced to Rs. 150 p.m. (Police) Considering that there is already a Superintendent of Railway Police, it should not be necessary to maintain also a District Superintendent of Police. A Deputy should suffice. The conveyance and police training school allowances should be abolished. The strength of the Police Force should be reduced to 1924-25 level. The newly created post of an inspecting and advising officer on a special pay of Rs. 150 should be abolished. The Central Revenues should be completely relieved of the cost of maintaining the Frontier chowkidari establishment. As regards Railway Police, Sub-Committee makes no recommendation on the ground that the cost is recovered from the Nizam's Government. In all the Sub-Committee recommended a saving of Rs. 1,61,000.

Bangalore—Owing to the peculiar arrangements for the disposal of surplus revenues of this "assigned tract" the Sub-Committee concluded that a scrutiny of the expenditure of Bangalore would not afford any relief to the average All-India tax-payer and has therefore excluded it from its review.

Western India States Agency—The States of Kathiawar, Cutch and Banaskanta were placed, on the Inchcape Committee's recommendation, in direct political relations with the Government of India through an A. G. G. specifically with the object of bringing down the expenditure to prewar level. In fact, the Sub-Committee points out tht the expenditure has grown from Rs. 12,11,000 in 1925-26 to 17,09,000 in 1930-31. If the expenditure incurred under other heads be included the growth of expenditure is as much as 60 per cent. Inchcape Committee had recommended a total political budget of Rs. 8 lakhs in all for the whole of Bombay Presidency, i.e. including also the Mahikanta, Rewakantha, Southern Mahratta and other minor agencies. After making various adjustments the Sub-Committee concluded that the budget contemplated by the Inchcape Committee for the Western India States Agency was about 5½ lakhs. Sub-Committee recommends that the recently created post of under-Secretary and one post of Political Agency might be abolished. The Police Force is over officered. Number of officers should be reduced to three. The principal police officer's status should be reduced to that of a District Superintendent of Police and his special pays should be abolished. The special pay of Rs. 250 to Residency Surgeon for his work as Chief Medical Officer and his allowance of Rs. 75 for supervision of thana dispensaries should be abolished. One-half or one-third of the cost of Judicial Commissioner might be debited to Ajmer-Merwara. The Sub-Committee in all recommends saving of Rs. 25,000.

RESIDENCIES AND AGENCIES ON THE BORDER

On an examination of the organisation and expenditure of the various Residencies and Agencies in and on the borders of India including Frontier Watch and Ward, which grew from Rs. 3 36 lakhs in 1924-25 to Rs. 4,18 lakhs in 1931-32, the Sub-Committee recommends re-examination of the contributions to **Coorg and Bangalore** towards the cost of Residency. As regards **Nepal** it recommends a saving of Rs. 36,000 out of a total expenditure of Rs. 1,56,000, namely Rs. 31,000 by reducing the strength of the envoys ceremonial escort and the rest by an automatic reduction of the provisions for special pays and other allowances.

With regard to **Gyantse and Yatung Trade Agencies** where an annual expenditure of Rs. 2,51,000 is incurred, the Sub-Committee holds that though they are called trade agencies these are being largely maintained in furtherance of British Imperial Political interests and the expenditure should in fairness be taken over by His Majesty's Government. Regarding Madras States the Sub-Committee recommends amalgamation with Mysore Residency. As regards **Aden** the Sub-Committee has excluded from its purview India's contribution (Rs. 1½ lakhs) towards military and political expenditure which are provided for in the Army estimates. Reduction of Rs. 63,000 has been proposed.

As regards **Consulate-General at Kashgar,** India has no vital political or commercial interest in Chinese Turkestan sufficient to justify expenditure of over a lakh of rupees, the whole of which should therefore be taken over by His Majesty's Government.

As regards **Burma** the Sub-Committee suggests that the local Government of Burma should be invited to undertake the administration in consideration for an annual payment of Rs. 2¼ lakhs.

Afghanistan used to be in political relations with the Government of India and a subsidy (which in 1913-14 was Rs. 19 lakhs) used to be paid to the Amir from Indian Revenues. After the third Afghan War (1919) followed by the Treaty of 1921, direct diplomatic relations were established between His Majesty's Government and Afghanistan, and relations with India except as a part of the British Empire as well as the subsidy came

to a close. In fact, however, the entire expenditure on the Legation and the two Consulates is still charged to Indian Revenues. Sub-Committee questions India's liability to bear the whole of this expenditure. It has argued that even apart from India, His Majesty's Government would, like many other European and Asiatic powers, have to maintain diplomatic relations with Afghanistan. Sub-Committee is not inclined to accept the view that the Consulates are maintained entirely or even mainly for the furtherance of India's trade with Afghanistan. It has had no evidence to show that their establishment has contributed to any increase in such trade. Therefore it proposes that the Consulates should be abolished and that in any case they should cease to be a burden on Indian revenues. As regards the Kabul Legation, it has proposed that His Majesty's Government should undertake at least one half of the cost; for the immediate future however, the Sub-Committee would be satisfied if one-third of the expenditure is borne by His Majesty's Government. The immediate aggregate saving will be Rs. 2,10,000 out of Rs. 4 lakhs.

INDIAN STATES FORCES

Indian States Forces, an inspecting and advisory organisation, is being maintained as part of the Indian Imperial Army and the cost should therefore be charged to the Army Estimates. The States should be invited to bear some portion of the cost. "The Imperial Service troops scheme was welcomed by the States in as-much-as it enabled them to train specified units of their forces to a high level of efficiency and to maintain such level. It cannot reasonably be denied that such training and frequent advice must enable the States to keep their own internal peace and security better than if their forces were left with the training and inspection. Besides the "scheme" satisfied the "amour propre" and enhanced the dignity of the States concerned." For the present, however, its view should be brought to the notice of the various authorities interested in the readjustment of the position of the Indian States vis-a-vis the Government of India. Its specific recommendation is that officers from the regular army should be deputed at intervals and that officers of the Indian States forces should be given frequent opportunities to visiting the Indian Army Units and to receive advice if they so choose. Such a scheme "will enable the present permanent advisory organisation to be abolished or at any rate appreciably curtailed." A reduction of two-thirds of the expenditure has been assumed out of the present cost of Rs. 6,44,000.

Malwa and Mewar Bhil Corps—The Sub-Committee point out that in accordance with the "avowed policy of Government now gradually to transfer political control to the Durbar . . . . .logical result will be the abolition of the corps or its transfer to the Durbar." Further the Sub-Committee observes, on the basis of the Foreign and Political Department's replies, that the Malwa corps is being used for certain army purposes and in fact is treated as if it were an irregular part of the Indian army, it proposes that the Army should be called upon to bear at any rate a portion of the cost of maintaining this corps. The net and gross savings have been calculated at Rs. 2,13,000 and Rs. 3,37,000 respectively out of a total expenditure of Rs. 3,55,000.

FRONTIER WATCH AND WARD

Expenditure on Frontier Watch and Ward including buildings and communications amounts to a total of Rs. 252,65,000 out of which expenditure in N. W. F. P. is Rs. 1,33,86,000, in Baluchistan Rs. 37,02,000, in Burma Rs. 61,71,000 and in Assam Rs. 19,76,000. The Frontier forces cost a little under two crores and the rest is incurred on works and other

charges. In the Sub-Committee's opinion the Frontier Watch and Ward formations perform functions which are almost entirely military in character and the expenditure should be borne by the Army estimates within the limits of the present Budget.

N. W. F. P.—Against the current provision of a little over Rs. 95,85,000 a standard expenditure should be reduced to Rs. 80 lakhs and progressive steps should be taken to achieve this result, in about three years. Other Frontier Watch and Ward expenditure, i.e. Rs. 38 lakhs including works should be reduced by Rs. 17 lakhs.

Baluchistan—In view of the comparatively settled conditions on the Baluchistan Border, every attempt should be made to bring the expenditure to a figure not exceeding that recommended by the Inchcape Committee when in the aftermath of the third Afghan War conditions there were still disturbed. This would yield a saving of Rs. 4 lakhs on the maintenance of peace on the Frontier. Provision of Rs. 8¼ lakhs for other expenditure should be reduced by Rs. 2¼ lakhs.

Burma—The contribution of about Rs. 46 lakhs to Burma should be reduced not only in the light of fall in prices and the reduction in pay and allowances, etc. but also on the ground that India cannot afford to bear the present heavy cost of Frontier Watch and Ward especially along the north-east frontier where the problem of defence can by no means be called acute. A reduction of Rs. 15 lakhs has been proposed. Further India should not incur any expenditure on the extermination of slavery outside the political limits of Burma. "Such altruism appears to us to be somewhat misplaced." A saving of Rs 4,68,000 out of a total of Rs. 6,68,000 has been proposed. The total reduction proposed for Burma amounts to a little over Rs. 22 lakhs.

Assam—The contribution to the Assam Government should be reduced from Rs. 16 to Rs. 11 lakhs. And the provision for works should be reduced by Rs. 1 lakh.

Total reduction proposed by the Sub-Committee under Frontier Watch and Ward amounts to Rs. 68,40,000, i.e. a little over 25 per cent: this is of course to be realised in due course and not all at once.

Other Political Expenditure: (Entertainment Charges)—These are principally intended to meet the cost of firing salutes in connection with the visits of Indian Chiefs and notabilities and on ceremonial occasions. A reduction of Rs. 15 thousand is proposed, out of Rs. 40,000 as at present.

Secret service money at the disposal of Viceroy (Rs. 55,000) is too much and a 10 per cent cut has been proposed.

DIPLOMATIC AND CONSULAR EXPENDITURE

In the chapter dealing with diplomatic and consular expenditure in Persia, Arabia, and the Persian Gulf Littoral, the General Purposes Sub-Committee stated: So far as foreign relations properly speaking are concerned, India has no independent policy of her own. It is the British Foreign Office that controls and directs such policy, the Viceroy acting as their chief adviser and agent in India. But the political relations with the Indian States are controlled by the Secretary of State for India and the Viceroy. In either case the Executive Council is not likely to have the same effective voice in the policy or administration of the department, as in the case of other departments. The most important fact of the situation, is that the "Middle East Policy," which includes the relations with Persia and Arabia, is entirely under the control of the Foreign Office of His Majesty's Government and not of the Government of India or the Secretary of State for India. In the circumstances the Foreign Office, as was to be expected, naturally utilises the agency of the Government of India for purposes of advice and in some cases ordinary administration. The Sub-Committee's main proposal is that

the Government of India should press for an immediate settlement of the issue raised by the Inchcape Committee in clear cut terms. The assumption that India has important political and commercial interests in Persia and the Gulf and that these are looked after by the diplomatic and consular agents of His Majesty's Government has been questioned. The portion dealing with this is one of the important and interesting parts of the report.

India continues to pay, broadly speaking, the entire expenditure at Bahrein and Muscat and half the diplomatic and consular expenditure in Persia and the rest of the Gulf. In addition to these charges, the annual subsidy to the Sultan of Muscat (Rs. 1,86,400) and the cost of hiring a despatch vessel for the Political Resident at Bushire (Rs. 1,20,000) are borne by the Government of India. The Inchcape Committee was "impressed by the heavy liabilities imposed upon India and gave its opinion in favour of an immediate revision of the arrangements then in force." It wanted that India's liabilities should be limited and defined.

The Sub-Committee holds that in the countries concerned Great Britain's Imperial interests are far larger and more valuable than India's so-called political or trade interests. The Dominions do not contribute towards the maintenance of Britain's diplomatic and consular representation. Most of the consular outposts are mere relics of the pre-war British policy in Persia and the Gulf against the menace of Russia, Germany and other rivals. In the Sub-Committee's opinion there is a clear and strong case for asking a complete relief. "The Sub-Committee is aware of the fact that the Government of India themselves have not always seen eye to eye with His Majesty's Government on the question of the extent and character of India's interests and liabilities in this region" and has asked the Government of India to "press vigorously" for the redress proposed by it. It considers that it should not take more than about a year to obtain it and that 'this act of sheer justice will help to relieve India's already heavy burden to the extent of about Rs. 11¼ lakhs. In this connection the Sub-Committee has also drawn attention to the fact that the Retrenchment Committee appointed in 1931 by the Secretary of State under the chairmanship of Sir Henry Wheeler recommended that "efforts should be made to secure the discontinuance of the annual contribution of £12,000 from Indian revenues towards the cost of diplomatic and consular establishments in China."

The total savings proposed for the residencies, agencies, consulates and vice-consulates in Persia, Arabia and the Persian Gulf for the period of transition amounts to Rs. 2,20,000 out of a budget of over 12 lakhs and an additional saving of Rs. 60,000 on the despatch vessel.

BOMBAY REORGANISATION COMMITTEE

The Government of Bombay, in a communique dated July 10, 1932 announced the appointment of the Bombay Reorganisation Committee consisting of the following gentlemen with effect from July 15: Mr. G. A. Thomas, I.C.S., (chairman), Mr. G. Kaula, Mr. D. G. Harris (members) and Mr. E. W. Perry, I.C.S. (secretary).

They were to give expert advice on the reorganisation of the administrative machinery of the Presidency. The committee would also make recommendations for more efficient organisation and for effecting all possible reductions in the expenditure controlled by the Government of Bombay, having regard to the present or prospective financial position and prospect of development of provincial autonomy in the near future.

The communique added that Government would invite certain gentlemen to be associated with the committee's experts for short periods of time to assist in the examination and organisation of the major departments.

The organisation and conditions of service of the All-India services were excluded from the scope of this enquiry.

The communique concluded that the Government desired in addition to securing the maximum reduction in the cost of administration consistent with efficiency, that the committee should examine how far adjustments were desirable in the machinery of the Government in the inter-relations of its component parts and in relations with local bodies and other organisations in order to ensure that each branch would be so designed as to best fulfil its purpose and permit steady development in future.

VIEWS OF INDIAN MERCHANTS' CHAMBER

The Indian Merchants' Chamber in course of a letter to the Chief Secretary of the Government of Bombay while appreciating the appointment of the Reorganisation Committee expressed disappointment at the personnel and terms of reference of the Committee in as much as it did not contain representatives of the taxpayers or independent businessmen to examine the whole question from the point of view of the taxpayers.

KARACHI INDIAN MERCHANTS' ASSOCIATION'S MEMORANDUM

The Committee of the Karachi Indian Merchants' Association in the course of a communication to the Secretary, Finance Department in the Bombay Government declared: "In the existing general economic crisis and the present depressed state of trade and industry, it is preposterous to expect any improvement in revenue in the near future. If effective and abiding retrenchment is to be made, it should necessarily be comprehensive including the All-India services and should be drastic enough as otherwise the problem of retrenchment will be an everlasting one and will be like the dragon in the fable. Mere patch work will not do. In view of the pending changes in the constitution and the resulting provincial autonomy and federation of provinces and Indian States it becomes necessary to economise and husband the present resources to meet the additional expenditure of the reformed Government and to provide for a general improvement." The Committee of the Chamber further stated: "One important point which the Bombay Retrenchment Committee should bear in mind is that the sources of revenue have been fully tapped and taxation has reached the utmost limit. The people cannot bear any further burden."

The Committee opined that the maximum monthly salary in the Imperial Services should be reduced to Rs. 1 500 and in the Provincial services to Rs. 600. The Committee urged that Subdivisions should always be in charge of officers on the Provincial list. It advocated the abolition of Divisional Commissioners which alone would save one and a half lakhs of rupees while the closing of the Commissioners' offices would yield one more lakh. Similarly the posts of subdivisional officers were also superfluous and should be abolished and district officers should deal directly with Mukhtiar or the Mainlatdar.

PROTECTION TO INDIAN TEXTILE INDUSTRY

REFERENCE TO TARIFF BOARD

WHILE the Tariff Board, as reported in the previous volume, was engaged in inquiring into the grant of protection to the Indian cotton textile industry, the textile situation in the country worsened materially. The Japanese exchange depreciated heavily and fell at the beginning of July, 1932 about 50 per cent below gold par rate and 25 per cent. below parity when both India and Japan were on gold. This resulted in heavy importations of cotton piecegoods, yarn and hosiery and it was apprehended in mercantile quarters that if such state of matters were allowed to continue, mills and factories would have to close down and handloom workers would be thrown out of employment. Attention of the Government was directed to the seriousness of the situation, and it was urged that without waiting for the Tariff Board's Report, an import duty on cotton goods and hosiery should be imposed at once to offset the Japanese depreciation.

REPRESENTATIONS FOR ADDITIONAL DUTIES

Representations were made by the Bombay Millowners' Association and the Ahmedabad Millowners' Association to the Government of India requesting them to take immediate action to impose additional duties on cotton manufactures imported from Japan in view of the fall in the price of such goods. This request was supported by a number of Chambers of Commerce and other commercial associations, including the Bombay, Bengal, Upper India, Karachi, and Mysore Chambers of Commerce, the Indian Chamber of Commerce, Calcutta, and the Indian Merchants' Chamber, Bombay. While the majority of these representations laid special stress on the need for immediate action of the nature indicated in respect of manufactures of cotton, a further request was made to the Government of India to take power to impose additional duties upon articles of various kinds, the price of which had been similarly affected by the depreciation of currency in the country of origin.

Of the imported articles in respect of which emergent action had been requested, the existing law permitted the imposition of additional duties by executive action only upon cotton piecegoods not of British manufacture. The power in question was given by section 3(5) of the Indian Tariff Act, 1894, which ran as follows:—" If the Governor-General-in-Council is satisfied after such inquiry as he thinks necessary, that articles not of British manufacture chargeable under Part VII of the second schedule with higher duty than similar articles of British manufacture being imported into British India from any place outside India at such price as is likely to render ineffective or excessive the protection intended to be afforded by such duty to similar articles manufactured in India, he may, by notification in the Gazette of India, increase or reduce such duty to such an extent as he thinks necessary either generally or in respect of such articles when imported from or manufactured in any country or countries specified in the notification provided that the duty leviable on any such aritcle shall in no case be less than the duty leviable on a likely article of British manufacture." It may be mentioned here that in addition to certain articles of iron and steel, cotton piecegoods alone are chargeable in tariff with different rates of duty according as they are or are not of British manufacture.

GOVERNMENT DECIDE ENQUIRY BY TARIFF BOARD

Accordingly, the Millowners' Association of Bombay and Ahmedabad applied to the Government of India requesting that the Governor-General-in-Council, in exercise of his powers under section 3 (5) of the Indian Tariff Act, 1894, should increase the duty leviable on cotton piecegoods, not of British manufacture, under item 158 in part VII of the import tariff on the ground that such articles were being imported into British India at a price likely to render ineffective the protection intended to be afforded by such a duty to similar articles manufactured in India. On consideration of those applications the Government of India decided on July 25 that immediate enquiry should be made by the Tariff Board with the following terms of reference:—

TERMS OF REFERENCE

To report whether cotton piecegoods, not of British manufacture, are being imported into British India at such price as is likely to render ineffective the protection, intended to be afforded, by duty imposed on such articles under part VII of the second schedule of the Indian Tariff Act, 1894, by the Cotton Textile Industry (protection) Act 1930, to similar articles manufactured in India, and if so, to consider (a) to what extent, if any, duty on cotton piecegoods, not of British manufacture, should be increased, and whether in respect of all cotton piecegoods, not of British manufacture, or in respect of cotton piecegoods—plain grey only, or of cotton piecegoods others only, (b) whether duty should be increased generally or in respect of such articles when imported from or manufactured in any country or countries specified, and (c) for what period any additional protection, found to be required, should be given, and to make recommendations.

OBJECTIONS TO TERMS OF REFERENCE

The Indian Merchants' Chamber, Bombay in course of a letter to the Commerce Secretary of the Government of India regretted that the Government instead of taking immediate action had referred the matter to Tariff Board for immediate report. Regarding the terms of reference of the new enquiry, the Committee saw no reason why instructions should have reference to the goods coming from countries excepting Great Britain when the only country against whom complaints had been made at the present moment was Japan. It was to get protection against goods coming from Japan that so many commercial bodies had addressed the Government of India In the opinion of the Committee the terms of reference lent colour to the view that the enquiry was intended to introduce Imperial preference. The Committee had in common with the other Indian commercial bodies opposed Imperial preference in any shape or form whatsoever and they requested the Government to be pleased to make it clear that the conference of the enquiry to the Tariff Board was only concerned with the competition of Japanese goods with indigenous goods as the result of depreciation of yen.

EVIDENCES BEFORE TARIFF BOARD

The Tariff Board commenced its task towards the end of July and heard evidences from the important associations.

BOMBAY MILLOWNERS' ASSOCIATION

The Bombay Millowners' Association, in its reply to the questionnaire of the Tariff Board making special enquiry into the condition of the Cotton Textile Industry, suggested that the industry required protection for at least ten years. "If the industry," the Association said, "is to find the

money for re-equipment and achieve its proper development under the shelter of protection, it must have an assurance that for a reasonable period of time at any rate, it will not be exposed to attacks from without. At the end of ten years, the position might be reviewed in the light of all that had happened in the interval." Apart from increases in duties, in the opinion of the Association, the industry could be helped in several ways, such as the lightening of the burden of taxation, grant of bounties on the production of medium and fine counts of yarn, special internal freights for Indian piecegoods and subsidies for the purpose of developing the export trade.

In reply to the question as to what steps could be taken to facilitate the introduction of the scheme of standardisation in respect of muster rolls and wages, the Association observed that the introduction of the scheme depended upon the co-operation of labour. After the publication of the Fawcett Committee's report, the Chairman of the Association invited the representatives of the various trade unions to a conference for discussing the recommendations of the Committee. A fair measure of agreement was reached on several proposals, but the communist element in the Girni Kamgar Union, which was the most powerful organisation of labour then, was determined to break with the millowners on an entirely different issue, and they brought about a strike which put an end to the negotiations, and which the millowners were compelled to fight with all their resources.

With regard to specialisation the Association pointed out that it was not possible that specialisation of particular mills in the manufcture of particular kinds of cloth could be achieved. That was possible only under a scheme of amalgamation such as that of the Lancashire Cotton Corporation. It could not be gainsaid, however, that where specialisation could be effected, it would mean a certain increase in efficiency and a reduction in working costs.

Referring to improvements by amalgamation and grouping of mills so as to constitute larger units under one general control, the Association thought that amalgamation of that character, however, was dependent upon a very large number of factors, many of which were outside the control of those in charge of the industry. A serious effort was made about two years ago by some of the most important firms of millowners to carry through a scheme of amalgamation, but the attempt had to be given up. The working of the Lancashire Cotton Corporation had not yielded any definite results on which conclusions could be based.

The Association was of opinion that the present management of mills was in the main satisfactory, and it did not see in what directions any change could be effected, which would bring about a reduction of costs. If as a result of its investigations, the Tariff Board was in a position to make any practicable suggestions, the Association would give them their earnest consideration.

In connection with the handloom industry it was stated that the millowners had been doing their best to assist the handloom industry and were selling yarn below the cost of production. It was also contended that if the duty on foreign yarn were removed, then the handloom weavers would have to depend upon imports of yarn. In that case, foreign importers would be able to get any price they liked from the handloom weavers.

AHMEDABAD MILLOWNERS' ASSOCIATION

The Ahmedabad Millowners' Association in course of their evidence before the Tariff Board stated that formerly the Ahmedabad mills manufactured grey goods which contained 100 per cent size, but at present they manufactured bleached goods containing about 30 per cent size. They were not against the imposition of an import duty on American cotton. The production of fine counts in the Ahmedabad mills was increasing. There was

a considerable fall in the price of Japanese piece-goods since 1929, as Japan was able to arrange its prices in accordance with the fallen prices of cotton, and to reduce the cost of production by increasing the efficiency of labour. The great protection to Indian mills had not led to an increase in prices. If protection was now withdrawn, the imports from Japan and England, which were much better equipped, would increase. If America, the home of American cotton, could not stand the competition of England, much less could India. The problem of Japanese competition baffled imagination or calculation. It was necessary to go to Japan, and find out the true facts, instead of basing conclusions on assumptions. Ahmedabad welcomed the starting of new mills in Calcutta, as India would consume a greater quantity of cloth as she prospered. The import duty on yarn should be continued, as goods manufactured out of foreign yarn could not be marketed owing to the Swadeshi movement which, it was feared, would not remain permanent, and it was considered necessary to appoint the Tariff Board to enquire into the need for protection.

Regarding the system of managing agency, the Association stated that managing agents had, on the whole, barring a few exceptions, run the mills efficiently, economically and in the best interests of the shareholders. They were not against appointing a Committee to suggest suitable modifications in the Companies Act, so as to ensure effective control by directors and shareholders over the managing agents, provided the Committee enquired into the systems existing in other parts of the world.

INDIAN MERCHANTS' CHAMBER

The representatives of the Indian Merchants' Chamber supported the demand of the Indian textile industry for tariff protection as they regarded the industry as one of the most important organised industries in the country and as large sums of Indian money had been sunk in it. They pleaded for a scale of tariffs which would give adequate protection to the industry, the previous recommendations of the Board being ineffective. In their opinion, the object of giving protection to an industry should be to render it attractive to the investors, so as to bring more concerns into existence, thus enabling the country to become self-sufficient in the matter of cloth-supply. Therefore, they suggested, that the protection given should be of such a dynamic character, that its aim should not be merely to ward off the present danger of foreign cloth being dumped into the country, but to render such dumping impossible in the future. The witnesses requested the Board to recommend to the Government the following principles which should be enforced along with the grant of protection: (1) All concerns benefited by protection should have a majority of Indian directors and Indian shareholders; (2) All concerns benefited by protection should place all their insurance with Indian insurance companies; (3) All mills should give preference to stores, coal and other materials available in India; (4) Part of revenue from protective tariffs should be utilised by Government in subsidising Indian companies engaged in the manufacture of mills stores; (5) (a) Managing Agency system should be abolished in the case of all future mills, (b) in the case of existing mills, Managing Agency contracts should be subject to revision every five years and (6) Remuneration of Managing Agents should be based on profits and not on production or sales.

The Chamber pointed out that protective tariffs meant the raising of tax on the Indian consumer and there was no justification for such taxation unless the benefit of it went substantially to Indians themselves.

BOMBAY CHAMBER OF COMMERCE

Bombay European Chamber of Commerce in its reply to the Tariff Board's questionnaire, said: "If protection for the Indian Mill Industry is

to be continued, it is not only possible and necessary in the interests of the consumer to continue but to increase the preferential treatment which is at present being given to imports from the United Kingdom."

The Chamber recommended that the import duty on yarn finer than fifty counts should be reduced. They suggested a reduction of the import duty on British cloth from 25 p.c. to 15 p.c. and of the import duty on non-British cloth from 31¼ per cent to 20 per cent. The Chamber argued that there was a large number of consumers who were used to wear cloth of the type imported from Lancashire and it would not be fair to penalise them, especially because Lancashire cloth did not compete directly with the Indian mills.

The Chamber conceded that protection should be given to the Indian Mill Industry, but insisted that the protection given should only go so far as to make it possible for the really well and efficiently managed mills to live. Any protection going beyond the limitations of this provision would end in hardship to the consumer.

The President of the Tariff Board remarked in this connection that whatever might be the relation between India and United Kingdom the Tariff Board had no right to make the Indian taxpayer and Indian consumer pay for the inefficiency of Lancashire as against Japan. Referring to the question of Imperial preference the President said: "When the Legislative Assembly introduced preferential duty in 1930, it was in order to enable Lancashire to make up its market in India as against other countries. But Lancashire has definitely failed in this, and now as the Tariff Board Members we have got to consider the interest of the Indian consumer. If the preferential duty does not serve its purpose, then it becomes an unnecessary burden on the consumer. At the rate at which the prices of Japanese goods are going down, I do not think there is any likelihood of Lancashire benefitting by preference to about 20 per cent. instead of 6 per cent as at present. You are not going to achieve the object of this preferential duty." The President further added: "The whole argument of course is based on the assumption that the difference between the prices of Lancashire and Japanese goods is as much as 20 per cent."

SOUTHERN INDIA CHAMBER OF COMMERCE

The Southern India Chamber of Commerce in a memorandum to the Tariff Board called attention to the fact that since the policy of protection to the Indian cotton mills, inaugurated in 1930, Indian cotton mills made considerable progress in the production of yarn and piece-goods and the their number rose and more mills were reported to be under construction. The claim of the Indian textile industry to protection was established by the progress it had made during the period of protection and by the resistance it offered to imports of cotton yarn and cloth. The Chamber was inclined to think that the present duty of 31¼ per cent. *ad valorem* with the alternative specific rate of 4 3/8 annas per lb. ought to be allowed to continue as a protective duty for a definite period—say for seven years. Similarly, the Committee was of opinion that it would not be advisable to impose a higher duty on dyed and printed goods but that the present duty of 31¼ per cent. should be continued on a protective basis. On the other hand, the Committee felt that in regard to white and bleached piece-goods the present duty was inadequate and that the Indian mills could not replace foreign imports to any considerable extent notwithstanding the vigorous propaganda for Swadeshi unless the duty were raised by at least 5 per cent. *ad valorem*—that is to 36¼ per cent.

As regards the duty on yarn the Chamber was of opinion that there was sufficient competition among Indian mills for yarn of 60 counts and

below, so the present duty of 6¼ per cent. might be continued without placing any handicap on the handloom industry. But in the case of yarn of more than 60 counts it would be advisable to remove the duty altogether or, subject to administrative convenience, refund the duty on the export of cloth produced by the handloom weavers who were in a serious plight and required all possible relief from taxation.

The Committee suggested that the duty on cotton hosiery be raised to 50 per cent *ad valorem* and that the duties on artificial silk goods and mixtures of cotton and artificial silk, which were found to replace cotton goods successfully at the present low rates, be at or above 50 per cent *ad valorem*. On the question of continuing the present tariff preference, the Chamber was against any scheme of preferential tariff any longer. The Chamber urged that a general reduction of the present rates of freight by 25 per cent. would give a distinct stimulus to internal trade in Indian yarn and piecegoods.

DEPARTMENT OF INDUSTRIES, BOMBAY

Mr. P. B. Advani, Director of Industries of the Government of Bombay, on behalf of the handloom weavers, stated that the handloom industry was benefited by the import duty on piece-goods and the abolition of import duties on cotton would indirectly help the handloom weaver. In the types of cloth where mills directly competed with handlooms, the earnings of handloom weavers had considerably fallen, in some cases by as much as 60 per cent; in cases of special types of cloth where mills did not compete handloom weavers' wages were maintained. Mr. Advani said that while the textile industry in India had been receiving progressive assistance in the form of protection against foreign competition, the handloom industry had been steadily deteriorating and very little attention was being paid to their improvement and organisation on a more efficient scale. What the handloom industry primarily needed was financial assistance, and little work had been done to give this assistance He suggested that a cess should be levied on the yarn produced in Indian mills. He said, "A cess of three pies per pound of yarn would enable us to raise a sum of Rs. 80 lakhs and this could be utilised for the purpose of organising co-operative societies, for giving financial help to the handloom weavers and for imparting technical education and knowledge of improved methods of weaving to them, and for helping them to advantageously market their produce. Such assistance would enable these weavers to dispense with the 'Sowkar' who acts as the middleman between the weaver and the consumer."

In their reply to the questionaire of the Tariff Board, the Bombay Government stated that the present duties on artificial silk piecegoods and yarn should be maintained in the interests of industry.

SOUTHERN INDIA TEXTILE ASSOCIATION

Mr. C. V. Venkatramana Iyengar, President of the Southern India Textile Association, Coimbatore, in a letter in reply to the questionnaire issued by the Tariff Board stated: "Ours is a country which need not depend on foreign countries for any of its raw products and it need not even think of securing foreign markets for its manufactured goods. Government should see that proper steps are taken to levy the necessary protective tariff against all foreign goods which can all be manufactured in India itself. If all foreign imports in textile goods are practically prohibited by high tariff, the ryots in India and the hand-loom weavers as well as a large number of people employed in the mills will have sufficient means of earning their livelihood. Though the mills in Bombay and Ahmedabad are against any import duty on cotton, the ryots of this district and in fact in the whole country will be glad if import duty even higher than the present one is levied on all

imports of cotton. If it is desired that the Bombay mills require some help in the production of higher counts, then an exception may be made if possible in the case of some specific cotton of long staples and in that case it will be enough if they pay the present import duty without paying the additional tax."

On principle the Association was against making any preference in favour of textile goods from Great Britain but as a matter of policy and bargain, it would have no objection if a little favour were shown in the case of fine goods imported from England, provided prohibitive duties were levied on all imports from every other country. The Association also urged that with a view to help the textile industry all import duties on parts of textile machinery and dyes should be removed and the present railway freight on cotton and cotton goods should be reduced by at least 25 per cent.

INDIAN CENTRAL COTTON COMMITTEE

The Indian Central Cotton Committee, in its reply to the questionnaire of the Board, pointed out that with regard to the present duty on raw cotton, there was no competition from outside with cotton less than 7/8 inch staple, so that the imposition of an import duty on that type of cotton could have no effect on the majority of Indian growers of cotton. There was also no competition in India with cotton in staple except for 8,000 bales of 289 F. of 1 1/16 staple grown in the Punjab. For the effect of the duty on intermediate staples between 7/8 and 1, there was only the experience of the past eight months, and that had been a period in which abnormal factors had predominated the world's markets, namely, big and highclass American cotton crop had been dumped on the world's markets and there was a general trade depression. It was therefore difficult to state to what extent the grower of staple cotton in India had benefited by the duty during that period, but under normal conditions and circumstances, an import duty on cotton should certainly afford protection to the grower of those staples.

Asked whether the present position of the world's cotton crops justified the assumption that there was over-production, the Committee replied in the affirmative, and added that, for the present, the supply was greater than the demand.

Asked if a decline in the output of Indian mills would adversely affect the Indian cultivator, the Committee said that it would do so in respect of cotton from 7/8 to 1, because the export demand for such cotton was entirely dependent on its cheapness in comparison with American cotton. It was only the Indian mills' demand that ensured a reasonable price to this variety, and that was proved during the seasons 1926-28, when large quantities of cheap low-grade American cotton were imported to replace Indian cotton. The position, therefore, was that part of the Indian cotton crop, about one to two million bales, would, if not taken up by Indian mills, be dumped on the export market and thus depress it. During the mill strikes, experience had shown that the general tone of the Home markets had not always been wholesome.

BENGAL NATIONAL CHAMBER OF COMMERCE

The Committee of the Bengal National Chamber of Commerce, in a telegram to the Tariff Board, Bombay, stated: "Bengal Mills greatly hit by latest fall of dhuti, sari prices from Japan presumably due to accumulation of cotton stocks purchased at cheap rate before abandonment of gold standard by Japan and subsequent alarming depreciation of Yen. While recognising that continuous increase of tariff re-acts adversely on the mass of consumers, Committee suggest to meet the present emergency an additional temporary *ad valorem* duty on plain grey cotton piecegoods on basis of difference between

prices quoted for forward contracts of imports from Japan and costs of local manufactures quality for quality. Committee recommend additional duty for a reasonably short period till the exhaustion of accumulated cotton stocks in Japan yielding a differential advantage. Committee urge full enquiry on this point as well as consideration of future trends of comparative Rupee-Yen and Dollar-Yen exchanges to estimate Japan's advantage regarding purchase of cotton from America and sale of piece-goods in India in future."

REPORT OF THE TARIFF BOARD

The report of the Tariff Board was released for publication on September 1, 1932. In course of the Report it was pointed out that if the fall in import prices occasioned by the exchange depreciation was allowed to continue, there would be a serious setback to the textile industry in every part of India, specially in Bombay. The Report says:

" Before stating our proposals regarding additional duties, we desire to point out that an alteration of the rates of customs duties does not appear to us to be the most suitable form in which assistance may be given to the industry against a temporary and variable handicap involved in a depreciated exchange. The general dislocation of the market entailed by a change in the rate of duty should, we think, be avoided unless it is clear that no other remedy is possible. It is too inelastic to be adopted to the frequent variations to which exchange rates are liable.

In the present case, since the question of granting substantive protection to the Indian industry is already under investigation and a reconsideration of the existing duties must, in any case, be undertaken before the end of the financial year, it appears to be particularly desirable that the additional assistance required should be provided, if possible, by other means than an alteration of the tariff rates We suggest that the tariff values of the piece-goods imported from Japan should, for customs purposes, be estimated from time to time at the current landed cost multiplied by the figures shown in the following table. We have provided in this table only for two rates of valuation, since frequent variations would be clearly undesirable. These rates are approximately the averages of the figures corresponding to the different ratios of exchange:--When exchange is not above 115, 1-5/8; When exchange is above 115 but not above 125, 1-3/8; When exchange is above 125, 1.

It is necessary to provide that once a particular figure is adopted for estimating the value, it should not be altered for a period of at least three months, and no new figure should be adopted unless the corresponding ratio of exchange has been in force, for at least four weeks. Rates of exchange should be taken at the bank's selling rates. If this scheme is not accepted, we propose that the necessary additional assistance should be provided by raising the *ad valorem* duty on cotton piecegoods from 31¼ per cent to 50 per cent. The increased rate of duty should be in force till March 31, 1933.

There is no logical reason for increasing the duties on imports from countries whose currency has actually risen in value as compared with the Rupee, but we regard the phenomenal increase in the imports from Japan as such a serious menace to the Indian industry that an increase in the duties on Japanese goods is imperative, and consequently if the most-favoured-nation clause in the Trade Convention with Japan is held to bar any proposal to increase the duties on Japanese goods alone, we have no hesitation in recommending that the increase of duty be applied to all goods not of British manufacture. We consider that this proposal will not involve any very serious addition to the consumer's burden, for the quantity of goods imported from countries other than the United Kingdom or Japan has, in the last three years, never reached 5 per cent of the total imports, while the value of goods

imported from these countries in the last three years has varied between 7.3 and 6.8 per cent of the total value of imported piecegoods."

GOVERNMENT DECISION ON THE REPORT

The Government decision on the Report was embodied in a press communique issued on August 26, 1932. It ran thus:

The Tariff Board, after a consideration of all the causes, which have helped to depress the prices of cotton piecegoods imported into India since the passing of the Cotton Textile Industry (Protection) Act of 1930, decided that the only factors which it was possible to take into consideration for the purpose of the emergent enquiry were depreciation in the exchange value of foreign currencies and the fall which had taken place in the price of raw cotton. The Board has found that the only country, of those which send cotton piecegoods to India, whose currency has depreciated in relation to Indian currency as compared with the rates prevailing when protection was granted to the Indian industry, is Japan, and after tracing the course of the rupee-yen exchange and of the prices at which cotton piecegoods have been and are being imported into India from Japan, the Board has reached the conclusion that the dominating factor in the decline in prices of these imports has been depreciation in the value of yen in relation to the rupee. This conclusion is, in the Board's view, supported by the fact that since last June a distinct upward movement in the price of raw cotton has taken place, while the extent to which the precipitate fall in the value of the yen has assisted the imports of cotton piecegoods into India is illustrated by the very large increase in the volume of such imports from Japan, which took place during the month of June, those imports representing contracts made since February last when the fall in the value of the yen below parity began. Figures obtained by the Board from the Calcutta Customs House and from leading importers in Calcutta indicated a further considerable drop in the prices quoted forward for Japanese cotton piece-goods. In arriving at the conclusions set out in its report the Board has given full and careful consideration to the representations made by the Japan Cotton Spinners' and the Japanese Cotton Piecegoods and Yarn Importers' Association and has made it clear that while the effect of a depreciated exchange upon the prices of exported goods is of a temporary nature, it is capable, while it lasts, of inflicting serious injury on a manufacturing industry in the country of import. The report further explains that in order to establish a case justifying the use of the powers conferred on the Governor-General-in-Council by section 3 (5) of the Tariff Act, it is unnecessary to show that goods are being imported at prices lower than the cost of production or than the internal sale prices in the exporting country, but only that the current prices of imported goods are lower than those on which the scheme of protection for the local industry has been based.

The object of the Cotton Textile Industry (Protection) Act of 1930 was, as the report indicates, not to give substantive protection to the Indian industry but to preserve the industry or an important section of it until the question of substantive protection had been considered and decided, a question into which the Tariff Board is now conducting an enquiry in accordance with the direction made to it in April last by the Government of India, and its present finding is strictly confined to the question whether the protection intended to be afforded until the 31st March 1933 is likely to be rendered ineffective. The Board has found that, for the purpose as stated above, the grant of additional protection to the Indian cotton textile industry has become immediately necessary and working from the basis of prices current in March 1930 and of the rate

of duty then fixed by the Act has calculated that taking the value of the Yen at Rs. 106 to 100 Yen (the average rate during July) and making the necessary allowance for the fall in the price of raw cotton the *ad valorem* duty on cotton piecegoods not of British manufacture should be raised to 50 per cent. in order to restore the measure of protection intended to be given to the Indian industry. The Government of India have carefully considered the Board's conclusions and are in agreement with them.

The Board makes the suggestion that Government should examine the possibility of using the powers conferred on them under section 3 (2) of the Tariff Act to raise the value of goods imported from a country with a depreciated exchange for the purpose of assessment of duty to such extent as may be necessary from time to time to counteract falls in prices. The Government of India are unable to accept this suggestion. *Ad valorem* duties are assessed on the actual value of the goods imported as nearly as it is capable of ascertainment and the object of the statutory provision cited by the Board is not to enable arbitrary valuations to be assigned for particular purposes, but to provide a method of fixing the actual value after a careful consideration of market prices as an alternative to assessment on 'real value' as defined in section 30 of the Sea Customs Act.

Failing acceptance of the suggestion referred to in the preceding para, the Board has recommended that the *ad valorem* duty on cotton piecegoods not of British manufacture which was fixed by the Cotton Textile Industry (Protection) Act, 1930 at 20 per cent and to which surcharges amounting to 11¼ per cent. have been added for revenue purposes by the Finance Act of 1931 should now be raised to 50 per cent. and that increased duty should remain in force until the 31st March, 1933. The Board has made no recommendation in regard to the minimum specific duty on plain grey cotton piecegoods in the belief that section 3 (5) of the Tariff Act confers no power to alter that duty, because it is not higher upon articles not of British manufacture than upon articles of British manufacture.

The Government of India have carefully considered these recommendations, and have also given full weight to the representations which they have received against any further increase in the duties on cotton piecegoods. They accept the Board's recommendation in respect of an *ad valorem* duty on cotton piece-goods not of British manufacture, but they wish to make it clear that the Indo-Japanese Commercial Convention of 1904 does not admit of the imposition, in any circumstance, of a higher duty upon goods of Japanese origin alone. The increased duty will therefore be applicable to all cotton piece-goods not of British manufacture. As regards the minimum specific duty on plain grey cotton piece-goods, the Government of India are satisfied that the Governor-General-in-Council has power to alter this element equally with the *ad valorem* rate in the duty with which plain grey cotton piece-goods are chargeable, for the two elements in the duty are not separable and the rate of duty as a whole applicable to articles not of British manufacture, is higher than the rate applicable to similar articles of British manufactuer. Having regard to the findings of the Board and to the great importance to the Indian Cotton Textile Industry of the plain grey class of piece-goods, the Government of India consider that any measure of additional protection which omitted this class of imports from its scope would, to a large extent, fail its object. They have, accordingly, decided to increase the duty also upon plain grey piece-goods. Following the general principle adopted by the Board in calculating the increase necessary in the *ad valorem* rate of duty, they have decided that the minimum specific duty should be raised to 5¼ annas per pound. The increased duties will take effect immediately, and will remain

in force until the 31st March, 1933, and will not be subject to the surcharges imposed by the Indian Finance Act 1931, and the Indian Finance (Supplementary and Extending) Act, 1931.

In announcing their decision, the Government of India desire to emphasize the fact that in accepting the necessity for a purely temporary increase, they have, in no way, prejudged the question whether the Indian cotton textile industry satisfies the conditions required to qualify it for the grant of substantive protection. That question is now under examination by the Tariff Board, and will come under consideration by the Government of India in the course of the next few months."

OPINIONS ON THE GOVERNMENT DECISION

Mr. H. P. Mody, Chairman of the Bombay Millowners' Association, was disappointed in the Government's decision on the Tariff Board Report as it took no account of the depreciation which took place in the rupee value of the Yen since the Board submitted its recommendations. He admitted that the increase in the *ad valorem* and minimum specific duty afforded a fair measure of protection to the industry, taken in conjunction with the rise in cotton prices, but emphasised that if the Yen kept slumping, as it recently did, the Government would undoubtedly have to intervene again, if they did not wish the additional protection to be rendered more or less ineffective.

Mr. Robertson Taylor, President of the Punjab Chamber of Commerce, while welcoming the Government decision about cotton tariff duties, said that it did not go far enough to protect the industries for which it was mainly meant. He added that adequate and effective protection could only be brought about when measures were adopted which would combat the still depreciating Yen, as many other indigenous industries were similarly being badly hit by excessive importations under this exchange."

The Financial Times commenting on the increase in the Indian import duty on non-British cotton goods said: "While Bombay millowners will naturally be gratified and Lancashire's position *vis-a-vis* her most formidable competitor will be proportionately improved, the Government of India's decision will arouse considerable disappointment in other quarters. Apart from the unfairness of penalising imports from all other foreign countries, some of which are still on the Gold Standard, the wide issue of the desirability of introducing anti-dumping legislation is left untouched. The European Chambers of Commerce will hardly regard the present step as a satisfactory answer to the very strong case they have made out."

The Japanese Consul in Bombay interviewed on the increased duty on all non-British piecegoods imported into India stated that the proposed additional duty of 20 per cent would greatly affect the Japanese imports into India. The Consul denied that there was any attempt on the part of Japan to dump her goods on the Indian market. He added that although the additional duty referred to all non-British piece-goods, in actual practice it would affect Japan most. This additional duty actually gave great preference to British goods and naturally Indian consumers would have to pay heavily in the future for their cloth. Concluding he said: "I don't think Japan will resort to any retaliation, nor will she boycott Indian raw cotton as was suggested in an Osaka message the other day. I do hope that this is the last of the series of instalments of protective measures which the Government of India have been adopting during the last five years."

SIND CONFERENCE REPORT

THE report of Mr. A. F. L. Brayne, Chairman of Sind Conference, was released for publication on July 4, 1932. It may be recalled that the Conference was set up in accordance with the undertaking given by the Prime Minister in the course of his statement to the Round Table Conference on 1st December last year, that His Majesty's Government had accepted in principle the proposition that Sind should be constituted a separate province if satisfactory means of financing it could be found and the purpose of this Conference was to try to overcome difficulties disclosed by the report of expert financial investigation made by Irving Committee last summer.

EXTRACTS FROM THE REPORT

Important extracts from Mr. A. F. L. Brayne's report on the proceedings of the Sind Conference follow:—

The revenue estimated by the Expert Committee amounted to Rs. 182.42 lakhs and expenditure to Rs. 279.82 lakhs, leaving a deficit of Rs. 97.4 lakhs. These figures exclude Sukkur Barrage which is treated separately.

Hindu members of the Conference endeavoured to prove that basic figure of deficit given by Irving Committee was unduly optimistic and that it should be increased by about Rs. 26 lakhs.

On the other hand the majority made determined effort to show that at least part of the difficulty can be overcome. According to them effective deficit amounted to only Rs. 30 lakhs and they further sought to turn that into a surplus by proposals such as relieving Sind of interest on pre-reform irrigation and unproductive debt to the extent of Rs. 20 lakhs and claiming for Sind the Rs. 21 lakhs of income-tax allotted by the Federal Finance Committee without debit of contribution to the federal revenues. These expedients were ruled out of order as not being within the purview of enquiry.

Formulating new proposals, the report expects an improvement over the expert estimate of the revenue to the extent of Rs. 11.5 lakhs when the present economic depression diminishes. Further retrenchments should not prove impossible, if there is a definite effort to secure economy in an already costly administration. Majority assert that part of the difficulty can be overcome by retrenchment and new taxation.

As regards the Barrage financial scheme, the same body of opinion seeks to improve the position by the proposal to debit Bombay with 85 per cent of the accumulated interest and by measures designed to speed up the recoveries from land sales. The relief under the first measure would be in the neighbourhood of Rs. 20 lakhs a year on interest charges under the Barrage Scheme and will be taken into account later.

Mr. Brayne estimates the probable initial deficit of Sind on 1st April, 1933, the date assumed for the present purposes, to be approximately Rs. 80.5 lakhs, including cost of separation, as compared with Rs. 108.45 lakhs as estimated by the Irving Report. It is further assumed that the proposals to charge Sind at the outset of separation with only those pensionary charges, which are paid in Sind and to treat the repayment of non-barrage pre-separation debt of Sind on a 50 years' basis will be found acceptable The deficit will continue in full for six years during which additional revenue from Barrage will be absorbed by interest charges. Thereafter there will

be an increasing balance after payment of interest charges, which will be available for general purposes and may be devoted to reduction of any subvention or to development purposes or to reduction of Barrage debt as may seem most expedient. The surplus so available after payment of interest would begin from 1939-40 onwards when it would be Rs. 12.9 lakhs. In 1942-43 surplus would be Rs. 76 lakhs and in 1945-46 it would increase to Rs. 92 lakhs Thus basic deficit would on this estimate be covered by available barrage surplus from 1944-45 onwards.

No allowance has been made for normal growth of expenditure and revenue under non-barrage heads or for the considerable expenditure which must be incurred upon communications, agricultural and other beneficent services if Sind is to reap the full advantages of her resources in the new era of development upon which she has entered.

Therefore the administration of a separated Sind will have to assume responsibility for finding funds for further development and for commitments such as on Lower Sind Canals and it will probably be necessary to take further loan for these purposes in earlier years as it is certain that capital expenditure under Barrage scheme will not cease with the completion of construction of canals and water courses.

At the outset and for some years to come Sind would require assistance to the full extent of Rs. 80 lakhs if a separate province is constituted. The report refrains from referring to the question of justification for a subvention to Sind or to the source of such assistance as it might lead to misunderstanding and further as it was not within the scope of the Conference.

Concluding, Mr. Brayne points out that Sind cannot stand security for the Barrage debt and that it is from the Barrage itself that security must be sought. A great future undoubtedly lies before Sind but that future and security of debt depend upon preservation of the Barrage and its connected canal systems in tact and upon the maintenance of the highest standards of efficiency in distribution of water assessment and collection of revenue, encouragement of cultivation and improvement of agricultural methods

OPINIONS ON THE REPORT

A large section of Sind opinion and especially Hindu opinion took the view that the picture drawn by Mr. Brayne was too rosy and that Sind would actually find herself in a deficit of an account far exceeding Mr. Brayne's estimate and for a period out of all relation to the short term of nine years indicated by Mr. Brayne

The leading Muslims of Sind in a conference held on September 1, 1932 resolved unanimously that the Conference while appreciating the sincere efforts of the Premier in accepting the principle of constituting Sind into a separate province, expressed its strong disapproval of his leaving the question of the separation of Sind open, although there is an unchallengeable case for immediate separation. Another meeting convened on September 16, 1932, the date fixed by the Muslim leaders for the observance of the 'Sind Separation Day' urged the Government to effect separation immediately, "failing which the Government would forfeit the entire sympathy and support of the Moslem community as a whole."

Mr. Mukhi Govindram, a prominent Sind leader while addressing the Anti-Separation Conference held at Hyderabad (Sind) remarked that Mr. Brayne in reducing the figures of deficit from 130 lakhs to 80 lakhs had thrown the burden of four crores of Sukkur Barrage interest and certain pensionary charges on Bombay after separation without Bombay getting a pie in return for the burden thrust upon her. Mr. Govindram was afraid that Mr. Brayne's optimistic forecast of the finances of Sind after 10 years

was based on several assumptions which were not likely to be realised and was clearly at variance with the findings of the Expert Financial Enquiry Committee. Mr. Brayne arrived at the conclusion that Sind might tax itself to the extent of 10 lakhs more but eighty lakhs at least, must be forthcoming from somewhere. But Mr. Govindram thought that there was a limit to any taxation; and Sind instead of marching into a radiant future under separation would become much worse than a C 3 province, whereas association with Bombay, meant equitable and well-spread taxation and just treatment to all communities, Hindus as well as Muslims He contended that it was not a fact to say that Sind had suffered under the Bombay connection while its population and irrigation had increased by 300 per cent and it had an advance system of local self-Government and education; the Sukkur Barrage costing 23 crores had been built by Bombay; and Sind would become part of a fully autonomous province in the near future which might not be the case if it was independently set up. Mr. Govindram concluding stated that the Hindus of Sind had great fears that they would suffer enormously by separation, would be marked out for special invidious treatment and would be paralysed on account of insecurity of life and property. He held that a large deficit having been proved, the bottom was knocked out of the agitation for separation and the question should now be regarded as closed.

Sir Phiroze Sethna, a member of the first Round Table Conference, in commenting on the report of the Sind Conference, thought that if as a result of Mr. Brayne's report of the Sind Conference that the Government of India were now asked to make a subvention of Rs. 80 lakhs, that was certainly going behind the recommendation of the Sub-Committee of the Round Table Conference as endorsed by the Conference itself, apart from the fact that the country could not afford to be taxed any further for such a subvention.

Dr. Tarachand J. Lalchand, in explaining Congressmen's position with regard to the question of separation of Sind from the Bombay Presidency, stated on September 16, 1932 that the Congress was already committed to separation with joint electorates The principle of separation having been accepted it was up to the Muslims now, at the present juncture, to offer their minority community, Hindus, joint electorates, and bring about a settlement with the communal Hindus. This gesture on their part would go considerably to remove the alleged fears of communal-minded Hindus.

Mr. Percival. Judicial Commissioner for Sind until 1930, commented that the R. T. C. decision regarding separation of Sind was subject to the proviso that Sind must be made financially self-supporting. But it was now found that Sind cannot be financially self-supporting and would require an annual subvention of rupees eighty lakhs from the Government of India. He therefore argued that any discussion regarding separation appeared to be superfluous unless the Government of India were willing to grant this amount

ORDINANCES IN OPERATION

SPECIAL POWERS ORDINANCE IN ACTION

THE Special Powers Ordinance, 1932 promulgated on June 30, 1932 was intended, as foreshadowed in the Secretary of State's speech in the House of Commons, to meet an emergency sufficiently grave to necessitate the exercise of special powers and to suppress the challenge of the Congress to the authority of the Government. It was, however, assured that the application of powers would be carefully and sympathetically regulated by the needs of the provinces and districts, and would be restricted to Provinces where these were definitely required. Accordingly, simultaneous with the promulgation of the Ordinance, the Provincial Governments took actions in exercise of the powers conferred by Section 1 (3) of the Ordinance.

The Madras Government, in a communique stated that the Chapters II, III and IV of the new Ordinance corresponding to the Emergency Powers Ordinance were not extended to the Presidency. Chapter V reproducing the Unlawful Instigation Ordinance had been previously made applicable by the local Government to three districts of the province. But in view of the improvement in the situation in these districts the local Government did not find it necessary to extend the same in any part of the Presidency. But if signs of the no-tax campaign re-appeared, they might be forced to consider the question of extending the same in any area affected by such campaign. Regarding the sixth and the seventh chapters the local Government said that in view of the recent activities of the Civil Disobedience party in holding provincial Congress meetings at Calicut, Madura and other towns to reaffirm the Civil Disobedience policy in four linguistic areas of the Presidency, they had no option but recommend the application of these chapters to the whole of the Presidency as a counter measure.

The Bombay Government issued a gazette extraordinary applying the chapters two, three, four and six of the Special Emergency Powers Ordinance to Bombay Presidency from July 1. In addition to these chapters, the provisions of chapter seven of the ordinance applied to the city of Bombay, Bombay Suburban Districts, Karachi District, Kaira, Ahmednagar, East Kandesh, West Kandesh, Ratnagiri and Kanara from July 1. Chapter V of the Ordinance relating to instigation of illegal acts such as refusal of payment of Government liability was applied to Kanara District with effect from 1st. July. Chapter II of the Ordinance, it may be mentioned, refer to the Emergency Powers, Chapter III to offences and penalties, Chapter IV to institution of special courts and Chapter VI provides provision against Associations dangerous to public peace.

The U. P. Government issued a gazette extraordinary notifying that the provisions of the Special Powers Ordinance of 1932 will come into force in the following districts, viz., Saharanpur, Meerut, Bulandshahr, Aligarh, Muttra, Agra, Farrukhabad, Etawah, Cawnpore, Fatehpur, Allahabad, Jhansi, Hamirpur, Benares, Ghazipur, Lucknow, Unao, Rae Bareli, Hardoi, Partabgarh Sultanpur and Bara Banki with effect from June 30. District officers concerned were invested with special powers with a view to the maintenance of law and order and protection of property under the control of the authorities. A large number of Congress and allied institutions in Cawnpore, Allahabad, Benares and several other districts were declared unlawful associations.

The Bihar and Orissa Government notified that in exercise of the powers conferred by Section I (3) of the Special Powers Ordinance 1932, Sections 58 to 63 and 63 to 73 of the said Ordinance were extended throughout the province of Bihar and Orissa with effect from June 30. Sections 4, 16, 17, 22 and 27 of the Ordinance were enforced in the district of Saran, and these sections with the addition of section 29 have been enforced in the districts of Muzaffarpur, Darbhanga, Champaran and Monghyr. It was also announced that the District Magistrates of Saran, Muzaffarpur, Darbhanga, Champaran and Monghyr were invested with the powers of the local Government under sub-section (I) of Section 4 of the Ordinance. Sections 58 to 63 and 65 to 73 of the Ordinance were also enforced in the district of Angul.

The C. P. Government directed that Sections 58 to 63 and 65 of the Ordinance would come into force in Nagpur, Wardha, Jubbulpur, Saugor, Raipur, Bilaspur, Drug districts and Akola district (Berar) from June 30.

The Government of Assam notified under the date of June 30 that the provisions of sections 58 to 63 and 65 of the Ordinance would come into force in the districts of Sylhet, Kamrup, Sibsagar, Darrang and Goalpara and that the provisions of sections 66 to 73 of the Ordinance, would come into force in the districts of Sylhet, Cachar, Kamrup, Sibsagar, Darrang, Goalpara, Nowgong and Lakhimpur.

The Chief Commissioner of Delhi extended the sections 3, 4, 8, 13 to 18, 22 (1), 24 to 29, 42 to 53, 58 to 63, 65 to 68 and 73 of the Ordinance into Delhi

OPINIONS ON ORDINANCE RULE

The revival of the Ordinances on the part of the Government to stem the tide of civil disobedience movement met with hostile criticism from all quarters.

The Committee of the U. P. Liberal Association condemned the new single consolidated ordinance as it reproduced the most obnoxious provisions of the Ordinances which it replaced and was open to still stronger objection than the latter in that it would continue for one more half year the reign of executive discretion which was always liable to abuse and had in fact been misused And notwithstanding the initial restriction of the areas where some of its provisions would be in force, the Committee could not hope that an improvement in the political situation would follow from the operation of such executive laws. The result was bound to be positively detri-winners. The Committee reiterated their conviction that rule by Ordinance could not win the support of opinion nor conduce to trustful relations between the people and the Government: that, in any case, such Ordinances were never necessary; that they were administered with great and unwarranted severity, and that they rendered co-operation with Government increasingly difficult.

The Council of the Western India National Liberal Association entered their emphatic protest against the action of the Governor-General in renewing the Ordinances promulgated in January last. Whilst the scope and extent of the areas within which the consolidated Ordinance was made operative were restricted for the present, the Council could not conceal their repugnance to continued administration of the country by means of drastic measures promulgated by the Executive. The Council noted that Government had seen their way to drop some of the unnecessarily severe provisions which existed in the former Ordinances. But the special powers now assumed were no less stringent and equally capable of encroaching on the personal liberties of citizens irrespective of their political creed. It was the duty of the Government to obtain the necessary special powers from the Legisla-

ture, if, in their opinion, a state of emergency continued to exist which warranted the use of such powers. The Council opined that the action of the Government in renewing the Ordinances, accompanied as it was by the reactionary pronouncement of the Secretary of State regarding the change in the constitutional procedure, would inevitably tend to greater embitterment of feeling and stand definitely in the way of a speedy restoration of normal conditions in the country.

The Council of the All-India National Liberal Federation, in a meeting held on July 10, passed the following resolutions:

"While the Liberal Party continues to be opposed to the Civil Disobedience Movement, and re-affirms the opinion that it should be stopped in the best interest of the country, the Council of the National Liberal Federation strongly disapproves of the promulgation of the new Emergency Powers Ordinance as the prolongation of Government by executive laws, far from restoring peaceful conditions and confidence in the Government cannot but have the effect of still further alienating opinion and aggravating the present highly unsatisfactory situation.

In the Council's opinion it was a misuse of the emergency power vested in the Governor-General virtually to have renewed the Ordinance after they had been in force for six months instead of Government seeking sanction from the Legislature in due form.

The Council notes with grave concern the uncompromising attitude of His Majesty's Government as expressed by the Secretary of State in the House of Commons on June 27, which will do nothing to ease the tension. It is the Council's firm belief that only a policy of conciliation and liberality can bring back peace and contentment to the land."

The Committee of the South India Liberal Federation was of opinion that the Secretary of State for India should repeal the various Ordinances and release the Ordinance prisoners immediately in order to create a peaceful atmosphere in India at the time of the introduction of the new reforms.

The Committee of the Indian Women's Association of Madras condemned the Ordinance regime and the promulgation of the new consolidated Ordinance and demanded release of all political prisoners and commencement of negotiations with the Congress. According to the Committee such policy in defiance of public opinion of the country was causing much resentment and bitterness among all sections of the people and interfered with the ordinary legitimate rights of the citizens for self-expression.

The Indian Merchants' Chamber of Commerce in a long statement issued to the press said that they were definitely of opinion that these ordinances had most disastrous effect on trade and industries and that business could not be conducted while confidence was lacking and confidence would not be restored while the Ordinance rule was in force. Opportunity could well have been taken by the Government of India, when the period of the Ordinances issued in January had come to an end to allow them to lapse and to watch the situation in the country, allowing the ordinary law of the land to enforce Law and Order. The Committee also referred to the feeling of uneasiness and uncertainty created throughout the country by these Ordinances and to the hostility incurred by the authorities of a large section of people who were otherwise the least politically minded, who had nothing in common with any political party but who were eye-witnesses to the hardships inseparable from the Ordinance raj and whose feelings of loyalty and contentment were turned into feelings of sullen resentment and discontent.

The Executive Committee of the Malabar Chamber of Commerce strongly believed that these Ordinances had certainly a disastrous effect on trade

and industry, besides that brought about by a world-wide depression. Business could not be conducted while confidence was lacking, and confidence would not be restorted while the rule of ordinary law was not in force. This was altogether apart from the general apprehension that Government by Ordinance denying the most elementary rights of citizenship to vast masses of the people must fail to command popular support in any degree.

The Committee of the Maharashtra Chamber of Commerce were afraid that the revival of the Ordinance was not likely to be conducive to peace and the same would cause greater bitterness. The Committee did believe that Government possessed sufficient power under the ordinary law of the land to enable them to effectively deal with any activities they believed to be interfering with the maintenance of law and order in the country.

The Council of the Bombay Presidency Association considered that the new Ordinance would deepen the popular discontent, further embitter feelings and impede the early return of normal conditions and urged the Governor-General to reconsider his decision and withdraw the Ordinance, thereby putting an end to the present unfortunate situation in the country. The Council felt that the continuance of administration through Ordinances would tend to destroy all respect for law even among the law-abiding citizens and all breaches of law could be adequately punished by the existing legal enactments. The Council could not conceive of an emergency lasting beyond six months and, even if in the opinion of the Government the emergency continued, the situation could have been met by submitting the Ordinances as Bills to the votes of the legislatures.

Bombay Cotton Brokers' Association protested against the continuance of ordinance in as much as they prolonged the feeling of nervousness, insecurity and stability in the country.

Dewan Bahadur T. Rangachariar commenting on the new Ordinance said: "Freedom of speech, freedom of association and freedom of the Press are now a matter of sufferance. Taking advantage of a few indefensible acts on the part of the Congress, the whole movement of which was the only real vocal organised movement in the country, has been suppressed and is being suppressed It is a matter of disappointment that neither in the joint statement of Sapru and Jayakar nor in Sastri's statement, there is a reference to this Ordinance rule, on which His Majesty's Government, supported by the Indian Government, are apparently congratulating themselves. It is time the Government are made to realise that they have already alienated their friends and that their policy is not a success."

Mr. Asaf Ali has issued the following statement to the Press:—"The renewal of the Ordinance powers is an unintentional compliment to the Congress, which was at first believed to be a mere worm that would be crushed out of existence, but whose strength has made Sir Samuel Hoare declare that six months' most drastic repression has left the emergency to be sufficiently grave to require further suspension of ordinary law. The self-laudation and claiming success for the policy of repression are rather pathetically negativated by the revealing admissions of the gravity of the situation."

Mr. C. Rajagopalachariar considered the renewal of Ordinance rule as a laurel of victory for Congress. The unabated continuance of police raj was the clearest admission on the part of the Government that the resistance of the Congress was as vigorous as ever and that the Government had failed to achieve their object of crushing the Congress by coercion. The talk on the part of the Secretary of State of a drawn battle, he continued, was really indicative of the smarting of defeat and a triumph of non-violence.

Dr. Ansari revealed that as early as the third week of November 1931, through a very reliable source, he came in possession of the text of the Ordinances which the Government had prepared while the R. T. C. was merrily proceeding in London. "Through special messengers," said the Doctor, "I conveyed that text to Sardar Vallabhbhai Patel, the then President of the Congress, Pandit Jawaharlal Nehru, Mr. T. A. K. Sherwani and Khan Abdul Gaffar Khan. The subsequent events on the return of Mahatmaji, the Viceroy's refusal to accept Mahatmaji's earnest appeal to give him an interview and discuss the situation in the country, the clapping of all of us in jail, are too recent history to relate."

Sardar Harbans Singh, M. L. A., thought that the Government promulgated a consolidated Ordinance to show their mailed fist and to display the might and brute force of the British Empire in all its nakedness for the oppression of a subject nation. He hoped that the Liberals and the Moderates had realised that if the Congress were crushed the Government would not care a farthing for other smaller political organisations like these. It is due to the bold, stiff and courageous fight put up by Mahatma Gandhi that Government often yielded and were listening to the Moderates and the Liberals with a view to placating progressive Indian opinion. Once that great organisation, the greatness of which is recognised as much by the mighty British Government as by others, was crushed, Government would have no fear to rule India by force for some decades more.

The Hon'ble Mr. G. A. Natesan regarded that Sir Samuel, by seeking to renew Ordinances, virtually confessed the failure of the Ordinance regime of the last six months. Most of the leaders of the dominant political party in India were in prison, and it was a queer way to inaugurate the new reforms by a renewal of the hated ordinances!

Mr. Basheer Ahmed Sayed, M.L.C., in course of a press statement, said that instead of solving the deadlock, the continuation of the rule by Ordinances was only likely to aggravate the situation and it would only be futile to think that it would release the present tension to the least extent.

SUPPRESSION OF TERRORISM

RECRUDESCENCE OF TERRORIST CRIMES IN BENGAL

THE recrudescence of terrorist crimes in Bengal in the face of special measures to cope with them was witnessed during the quarter under review. The terrorists heralded their reappearance on the scene by the distribution of red leaflets embodying their new programme, and extended their outrages upon non-official members belonging to the European community. The attempts on the life of Sir Alfred Watson, the Editor of the "Statesman" and the outrages at Comilla, Pahartali (Chittagong) and Dacca following one another in quick succession only showed the seriousness of the situation.

TERRORIST MOVEMENT IN BENGAL SINCE 1907

It will not be out-of-place here to record the course of the terrorist movement in Bengal since its inception in 1907. The following account of the terrorist campaigns in 1907, 1923 and 1929 is taken from the Report on the Police Administration in the Bengal Presidency, for the year 1931 :—

From 1907 to the end of 1914 there were 125 outrages in Bengal and Eastern Bengal and Assam. This figure includes outrages committed in Bengal and Eastern Bengal and Assam before the repartition and in Bengal after the repartition. The average monthly number of outrages during this period was 1.3. (The word "outrage" is used to mean only murder, dacoity, robbery, or an attempt to commit one of these crimes).

In 1915 up to May 3rd, 15 outrages were committed, or 50 per cent. more than the yearly average for the previous eight years, clearly showing that the terrorist organisations had been unaffected by the steps taken against them up to that time under the existing law. In May 1915, section 12 (a) of the rules framed under section 2 of the Defence of India Act was brought into use against terrorists. The rule was applied to 233 persons only up to June 1916 and terrorist crime continued to increase. During this period of 14 months 38 outrages occured, in course of which 20 persons were murdered by terrorists and the monthly average was 2.7.

These outrages culminated in the murder of Babu Basanta Kumar Chatterji, Deputy Superintendent of the Intelligence Branch in June 1916. Thereafter terrorists were interned and from June 1916 to November 1919, when internments stopped, 1,029 persons were interned. By the end of June 1918, up to which time for the previous 12 years there had been on an average 17 outrages annually, terrorist outrages almost ceased. There were only 2 more up to the end of 1919 and none in 1920. During this period 12 persons were murdered and the incidence of outrages was--

1916 after June	7
1917	12
1918 up to June	10
1918 after June	1
1919 September	1

The monthly average dropped to 0.6.

The release, under the Amnesty, of the 1,262 persons interned under the Defence of India Act began in December 1919 and finished by February 1920. The year 1921 was free from terrorist outrages but in 1922 one outrage, a murder, occurred.

In 1923 a fresh series of terrorist outrages began. The Defence of India Act had expired six months after the end of the Great War and although, as a result of the Sedition Committee's report, the Rowlatt Bill, after slight modifications, became law as the Revolutionary and Anarchical Crimes Act, 1919, this Act was never brought into force, and was repealed with other so-called repressive laws in 1921. In 1923, therefore, the terrorists could be dealt with only by the ordinary law and Regulation III of 1818. By September 1923 at the imminence of further outrages, including the assassination of certain high officials, 11 persons, believed to be the leaders of the conspiracy, were made State prisoners under Regulation III. An attempt to prosecute, under the ordinary law in the Alipore conspiracy case, some other persons, suspected to have been concerned in the armed dacoities which had occurred in Calcutta, failed.

In January 1924, Mr. Day was murdered by a terrorist in mistake for Sir Charles Tegart. This outrage was followed by the arrest of six more persons under Regulation III of 1818. Nevertheless further outrages were planned and committed and the situation became so serious that special legislation in the form of an Ordinance was promulgated in October 1924, and 76 suspects were arrested and interned. The Ordinance provided for the arrest and internment of only those terrorists who had committed, were committing, or were about to commit, certain specified acts or offences. It did not empower the Government to intern any person who was reasonably believed to be a member of a terrorist party.

The sudden action under the Ordinance was a blow to the terrorists who had not recovered from that dealt them by the arrests under the Defence of India Act. Many of the leaders decided in 1925 to give up committing outrages for a period in order to reorganise and strengthen their parties. One party decided to wait for five years, the period, for which the Bengal Criminal Law Amendment Act of 1925, which had replaced the Ordinance, would remain in force.

The members of other groups, however, disapproved of this waiting policy and formed an organisation for the immediate resumption of terrorism, and it was against this organisation that the Bengal Criminal Law Amendment Act of 1925 was almost exclusively applied. The raids at Dakshineswar and Sova Bazar Street in 1925 resulted in the conviction of most of the important leaders and exposed their plans, and the party handicapped by this reverse was unable to develop. The opposition of many terrorist leaders to the policy of this party was also a hindrance both to recruitment and to the replacement of arrested leaders. The discomfiture of the party was completed by the continued arrests under the Bengal Criminal Law Amendment Act and the searches and arrests in 1927, which culminated in the institution of the Deoghar conspiracy case.

The figures of outrages from 1921 up to October 1924 in which 9 persons were murdered by terrorists were as follows:—

1922	1
1923	9
1924	8

After this date they decreased, the figures being—

1925	3
1926	1
1927	1
1928	3

Between October 1924 and the end of 1928 one person only was murdered by the terrorists.

The total number of persons interned under the 1924 Ordinance and the 1925 Bengal Criminal Law Amendment Act was 187, the last being arrested in March 1927. All these persons and those made State prisoners under Regulation III of 1818 were released by the end of January 1929, the majority being released in 1928.

In 1929 terrorist outrages increased, four being committed, of which the murder of a police officer in Barisal and a dacoity in the Rajshahi district were the most important. The dacoity was the first overt act of an amalgamation of terrorist groups formed under similar circumstances to the amalgamated party of 1925. At the end of the year searches were made in Calcutta and elsewhere which exposed its objects, and resulted in the institution of the Mechuabazar Street Bomb conspiracy case, and the temporary disablement of the party. In April 1930, just after the expiry of the Bengal Criminal Law Amendment Act of 1925, the Chittagong party brought off the Chittagong armoury raids which gave great impetus to the terrorist movement throughout the province. The outrages committed in 1930 amounted to 36, only one of which occurred before April. In these outrages 19 persons were murdered by the terrorists.

Immediately after the Chittagong raid, the powers of arrest and detention included in the Bengal Criminal Law Amendment Act, 1925, were re-promulgated by an Ordinance, and on the 16th October were made law as the Bengal Criminal Law Amendment Act, 1930, for a period of five years. From April 1930 up to the end of the year, 991 persons were arrested under the Ordinance and the Bengal Criminal Law Amendment Act, of whom 818 were interned and 173 released.

The year 1931 was one of continuous anxiety. The terrorists had extended their organisations enormously among the Hindu "bhadralok" youths. 67 terrorist outrages occurred, the monthly incident being:—

January 5, February 2, March 8, April 7, May 6, June 3, July 6, August 5, September 5, October 11, November 4, December 5. Nine persons were murdered. The continuance of outrages proved that the powers conferred by the Bengal Criminal Law Amendment Act, 1930, were insufficient. On the 29th October, the Bengal Ordinance IX of 1931 was promulgated by which the scope of the Act was widened, so that action could also be taken against all members and helpers of terrorist associations, thus conferring powers similar to those which were used with success against the terrorists in 1916.

The terrorist cult has found more votaries in the last two years than ever before. The participation of women in the terrorist conspiracy is no new development, but until 1932 they had not stooped to assassination."

STATEMENT OF OUTRAGES

The following is a statement, taken from the same Report of terrorist outrages (murders, dacoities, robberies and attempts to commit those offences) in Bengal from 1907 to 1932 inclusive:—

Period.	Number of outrages.	Number of persons murdered.
1907 to May 1915	140	38
May 1915 to June 1916	38	20
June 1916 to end of 1916	7	
1917	12	
1918	11	12
1919	1	
1920	Nil	Nil
1921	Nil	Nil

Period.	Number of outrages.	Number of persons murdered.
1922	1	9
1923	9	
1924	8	
1925	3	Nil
1926	1	1
1927	1	Nil
1928	3	Nil
1929	4	1
1930	36	19
1931	67	9
Total	342	109

GOVERNMENT MEASURES TO SUPPRESS TERRORISM

The Government of Bengal were not slow to take powers to combat the renewed activities of the terrorists in 1932.

POSTING OF MILITARY OFFICERS

As a first step the Government proposed to post military officers in quarters where the terrorists seemed to concentrate their misguided energy and thus to afford protection to the person of the official and non-official members of the society.

That six battalions were to proceed to Bengal to crush terrorism was notified in a press communique issued on August 18, 1932. It was stated: "The situation in Bengal caused by the terrorist movement has been reviewed by the Government of India in consultation with the Government of Bengal. In spite of the special measures which have been taken, murders of officials have not ceased; and political dacoities mail robberies and thefts of arms and ammunition still continue. The Government of Bengal have now recommended, and the Government of India are in full agreement with them, that the military forces in the Presidency should be very substantially increased. In accordance with this decision, a force of two infantry brigades, less one British infantry battalion, that is to say, six battalions of British infantry, will proceed to Bengal at the beginning of the ensuing cold weather and will remain there so long as the circumstances demand their presence."

It was also intended that a battalion of the British infantry shall be stationed at Dacca and one battalion of the Indian infantry each at Chittagong, Comilla, Mymensingh, Saidpur, Midnapore and Bankura. They would not be allotted duties other than such protective duties as might be considered desirable locally after mutual agreement between the local, civil and military authorities.

CALL FOR UNLICENSED ARMS

The Government then thought of securing all the unlicensed firearms to their custody. In a communique issued by the Government of Bengal, Police Department, dated August 30, 1932 the Government of Bengal asked those in possession of unlicensed firearms to report the fact to the nearest Magistrate and hand over the same on or before October 31, 1932. The Communique ran thus:—

"The Government of Bengal have reason to believe that a considerable number of persons residing in Bengal have in their possession unlicensed firearms which they do not declare owing to the risk of prosecution.

In view of the political situation in the country, it is necessary to impress upon the public the paramount necessity of Government being afforded accurate information about the possession, disposal and loss of all such arms, and accordingly this appeal is made to the public in general, who may be in possession of unlicensed arms, to report the fact in writing to the nearest Magistrate, and in Calcutta, to the Commissioner of Police. The appeal is issued on the understanding that—

(1) no prosecution will be instituted on the basis of any such report made within the time hereinafter mentioned,

(2) a licence will be given if the local Government consider the person to be qualified for a licence on existing principles, otherwise the sale proceeds of the weapon will be handed over to the owner.

Government have fixed 31st October next as the latest date by which unlicensed weapons may be handed over to the police on the above understanding. Warning is hereby given that, after that date, prosecutions will be launched against any and every one found in possession of unlicensed weapons."

BENGAL EMERGENCY POWERS (SECOND AMENDMENT) ORDINANCE, 1932

The following Ordinance further to amend the Bengal Emergency Powers Ordinance, 1932, issued by the Governor-General on July 20, 1932 was intended to arm the Government of Bengal with new powers to curb the terrorist movement:—

Whereas it is expedient further to amend the Bengal Emergency Powers Ordinance, 1932, now therefore in exercise of the power conferred by Section 72 of the Government of India Act, the Governor-General is pleased to make and promulgate the following Ordinance:—

This Ordinance may be called the Bengal Emergency Powers (Second Amendment) Ordinance 1932.

To Section 2 of the Bengal Emergency Powers Ordinance 1932 the following sub-section shall be added.—

(3) Any offence punishable under this section shall, notwithstanding anything contained in the Code of Criminal Procedure 1898, be cognizable and non-bailable.

[The following is the Clause in the original Ordinance to which a sub-clause has been added:—

2. (1) The Local Government, subject to the control of the Governor-General in Council may, by notification in the local official Gazette, make rules:—

(a) to prevent communication with absconders and to secure information of the movements of absconders;

(b) to prevent attacks on the persons and property of His Majesty's subjects, or to secure information of such attacks and of designs to make such attacks;

(c) to secure the safety of His Majesty's forces and police;

(d) to provide for the custody pending production before a court of prisoners taken in circumstances in which the provisions of the Code of Criminal Procedure, 1898 (V of 1898) cannot be followed without undue inconvenience.

(2) In making a rule under this section the Local Government may provide that any contravention thereof shall be punishable with imprisonment which may extend to six months, or with fine or with both.]

BENGAL CRIMINAL LAW SECOND AMENDMENT BILL, 1932

Bengal Criminal Law Second Amendment Bill, 1932, passed in the Bengal Legislative Council on September 1, gave increased powers to the Government to check terrorism. The most important provision of the Bill is that it makes an attempt at murder punishable with death sentence or transportation for life in cases arising out of the terrorist movement. The Bill also provides for the appointment of a fresh Tribunal, dealing with refractory accused and exclusion of public from precincts of courts in certain trials. The text of the Bill is reproduced for reference :—

TEXT OF THE BILL

The Bengal Criminal Law Second Amendment Bill, 1932, a Bill further to amend the Bengal Criminal Law Amendment Act, 1925.

Whereas it is expedient further to amend the Bengal Criminal Law Amendment Act, 1925; and whereas the previous sanction of the Governor-General has been obtained under sub-section (3) of section 80A of the Government of India Act to the passing of this Act: It is hereby enacted as follows :—

1. This Act may be called the Bengal Criminal Law Second Amendment Act, 1932.

POWER TO TRANSFER TRIALS & PASS EXTREME SENTENCE

2. To section 4 of the Bengal Criminal Law Amendment Act, 1925 (hereinafter referred to as the said Act,) the following sub-section shall be added, namely :—

"(4) At any time before the commencement of the trial of any person under this Act, the Local Government may, by an order in writing stating the reasons therefor, withdraw the case of such person from the Commissioners appointed for the trial and transfer it for trial to three other Commissioners appointed in this behalf."

3. To sub-section (1) of section 6 of the said Act the following proviso shall be added, namely :—

"Provided that where the Commissioners convict any person of any offence punishable under the first paragraph of section 307 of the Indian Penal Code, committed after the commencement of the Bengal Criminal Law Second Amendment Act, 1932, they may pass on such person a sentence of death or of transportation for life."

POWER TO EXCLUDE PUBLIC

4. After section 8 of the said Act the following sections shall be inserted, namely :—

"8A. (1) In any trial by Commissioners appointed under this Act, the Commissioners may, if they think fit, order at any stage of the trial that the public generally or any particular person shall not have access to, or be or remain in, the room or building used by the Court.

(2) Where in the course of any such trial, the Advocate-General certifies in writing to the Court that it is expedient in the interests of the public peace or safety, or of the peace or safety of any of the witnesses in the trial, that the public generally should not have access to, or be or remain in the room or building used by the Court, the Court shall order accordingly.

POWER TO DEAL WITH REFRACTORY ACCUSED

8B. (1) Where any accused, in a trial by Commissioners appointed under this Act, has by his voluntary act rendered himself incapable of appearing before the Court or resists his production before it, or behaves before it in a persistently disorderly manner, the Court may, at any stage of the trial, by order in writing made after such inquiry as it may think fit, dis-

pense with the attendance of such accused for such period as it may think fit, and proceed with the trial in his absence.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or of being present in person if he has become capable of appearing or appears in Court and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1818, no finding, sentence or order passed in a trial by Commissioners appointed under this Act shall be held to be illegal by any Court by reason of any omission or irregularity whatsoever arising from the absence of any or all of the accused whose attendance has been dispensed with under sub-section (1) "

5. In clause (a) of the First Schedule to the said Act for the figures "148" the figures and letter "121, 121A, 122, 123, 148, 216" shall be substituted.

BENGAL SUPPRESSION OF TERRORIST OUTRAGES BILL, 1932

Subsequently another Bill, called the Bengal Suppression of Terrorist Outrages Bill was passed in the Bengal Legislative Council on September 6, 1932 giving wide powers to the Government to suppress the terrorist movement. The text of the Bill follows:—

TEXT OF THE BILL

The Bengal Suppression of Terrorist Outrages Bill, a Bill to provide for suppressing the terrorist movement in Bengal.

Whereas it is expedient to make special provisions for the purpose of suppressing the terrorist movement in Bengal and to provide for the speedier trial of offences committed in furtherance of or in connection with the said movement; and whereas the previous sanction of the Governor-General has been obtained under sub-section (3) of the section 80A of the Government of India Act to the passing of this Act: It is hereby enacted as follows:—

SHORT TITLE AND DEFINITIONS

1. (1) This Act may be called the Bengal Suppression of Terrorist Outrages Act, 1932.

(2) This section, section 2, Chapter II and the Schedule extend to the whole of Bengal. The Local Government may by notification in the Calcutta Gazette, extend any or all of the provisions of Chapter I to any area in Bengal.

(3) This Act shall continue in force as long as the Bengal Criminal Law Amendment Act, 1930, remains in force.

2. In this Act, unless there is anything repugnant in the subject or context,—(a) "absconder" means a person against whom a warrant is in force on account of an offence under the Indian Penal Code or any other law or in respect of whom an order of arrest has been made under sub-section (1) of section 2 of the Bengal Criminal Law Amendment Act, 1930; (b) "the Code" means the Code of Criminal Procedure, 1898; and (c) "scheduled offence" means any offence specified in the Schedule to this Act.

CHAPTER I.

EMERGENCY POWERS

3. (1) Any officer of Government authorised in this behalf by general or special order of the Local Government may require any person whom

on reasonable grounds he suspects to be acting or about to act in a manner prejudicial to the public safety or peace, to give an account of his identity and movements, and may arrest and detain him for a period not exceeding twenty-four hours for the purpose of obtaining and verifying his statements.

(2) An officer making an arrest under this section may in so doing use any means that may be necessary to effect the arrest.

POWER TO TAKE POSSESSION OF BUILDINGS, ETC.

4. (1) If, in the opinion of the Local Government, any land or building can be utilised as quarters or offices for public servants, or for the accommodation of troops or police or prisoners or persons in custody, in places where public lands or buildings are not sufficient, the Local Government may, by order in writing, require the occupier or other person in charge of the land or building to place it at the disposal of Government at such time as may be specified in the order, together with the whole or any part specified in the order of any fixtures, fittings, furniture or other things for the time being in the building; and the Local Government may dispose of or use such land, building, fixtures, fittings, furniture or other things in such manner as it may consider expedient:

Provided that reasonable notice and reasonable facilities for withdrawal shall be given to persons occupying any such building before possession is taken under this section.

(2) In this section "building" includes any portion or portions of a building, whether separately occupied or not.

(3) The land or building shall not be so utilised as to wound the religious feelings of the owner or of the person in possession and shall not, as far as practicable, be so used as to interfere with access to any place of worship situated in or contiguous to the land or building.

5. (1) If, in the opinion of the District Magistrate, any product, article or thing, or any class of product, article or thing, can be utilised in furtherance of the purposes of this Act, the District Magistrate may, by order in writing, require any owner or person in charge of such product, article or thing to place it at the disposal of Government at such time and place as may be specified in the order; and the District Magistrate may dispose of or use it in such manner as he may consider expedient.

5A. The Collector shall, on the application of any person who has suffered loss by the exercise of the powers conferred by sections 4 or 5, award to such person such reasonable compensation as he thinks proper.

6. The District Magistrate may, by order in writing, prohibit or limit, in such way as he may think expedient for the purposes of this Act, access to any building or place in the possession or under the control of Government or of any railway administration or local authority, or to any building or place in the occupation, whether permanent or otherwise, of His Majesty's Naval, Military or Air Forces or of any police force, or to any place in the vicinity of any such building or place.

POWER TO REGULATE TRAFFIC

7. The District Magistrate may, by order in writing, prohibit or regulate, in such way as he may think expedient for the purposes of this Act, traffic over any road, pathway, bridge, waterway or ferry.

8. (1) The District Magistrate may, by order in writing, require any person to make, in such form and within such time and to such authority as may be specified in the order, a return of any vehicles or means of transport owned by him or in his possession or under his control.

(2) The District Magistrate, if in his opinion, it is expedient for the purposes of this Act, may, by order in writing, require any person owing

or having in his possession or under his control any vehicle or means of transport to take such order therewith for such period as may be specified in the order.

POWERS REGARDING ARMS, ETC.

9. (1) The District Magistrate may, by order in writing published in such manner as he thinks best adapted for informing the persons concerned,— (a) prohibit or regulate, the purchase, sale or delivery of, or other dealing in, any arms, parts of arms, ammunition or explosive substances; or (b) direct that any person owing or having in his possession or under his control any arms, parts of arms, ammunition or explosive substances, shall keep the same in a secure place approved by the District Magistrate or remove them to any place specified in the order.

(2) The District Magistrate may take possession of—(a) any arms, ammunition or explosives, or (b) any tools, machinery, implements or other material of any kind, likely, in his opinion, to be utilised, whether by the owner or by any other person, for the commission of any scheduled offence; and may make such orders as he may think fit for the custody and disposal thereof.

POWER TO REQUIRE ASSISTANCE

10. (1) The District Magistrate may require any landholder, or any member, officer or servant of any local authority, or any teacher in any school, college or other educational institution, to assist in the restoration and maintenance of law and order and in the protection of property in the possession or under the control of Government, or of any railway administration or local authority, in such manner and within such limits as the District Magistrate may specify.

(2) The District Magistrate shall satisfy himself that such order is not of a harassing or humiliating nature or is incompatiable with the man's position in life and his ability.

(3) No female will be required to render any such assistance.

11. The power to issue search-warrants conferred by section 98 of the Code shall be deemed to include a power to issue warrants authorising— (a) the search of any place in which any Magistrate mentioned in that section has reason to believe that any scheduled offence or any offence punishable under this Act has been, is being or is about to be committed, or that preparation for the commission of any such offence is being made; (b) the seizure in or on any place searched under clause (a) of anything which the officer executing the warrant has reason to believe is being used, or is intended to be used, for any purpose mentioned in that clause; and the provisions of the Code shall, so far as may be, apply to searches made under the authority of any warrant issued, and to the disposal of any property seized, under this section.

GENERAL POWER OF SEARCH

12. Any authority on which any power is conferred by or under this Chapter may authorise any person to enter and search any place the search of which such authority has reason to believe to be necessary for the purpose of—(a) ascertaining whether any order given, direction made, or condition prescribed in the exercise of such power has been duly complied with; or (b) generally, giving effect to such power or securing compliance with, or giving effect to, any order given, direction made or condition prescribed in the exercise of such power.

13. If any person disobeys or neglects to comply with an order made, direction given, or condition prescribed, in accordance with the provisions of this Chapter, the authority which made the order, gave the direction or

prescribed the condition may take or cause to be taken such action as it thinks necessary to give effect thereto.

COLLECTIVE FINE

14. (1) Where it appears to the Local Government that the inhabitants of any area are concerned in the commission of scheduled offences or are in any way assisting persons in committing such offences, the Local Government may, by notification in the *Calcutta Gazette*, impose a collective fine on the inhabitants of that area.

(2) The Local Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine; such exemption shall not be based upon communal or racial considerations.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

(5) The Local Government may award compensation out of the proceeds of a fine realised under this section to any person who, in the opinion of the Local Government, has suffered injury to person or property by the unlawful act of the inhabitants of the area.

PENALTY FOR DISOBEYING ORDERS

15. Whoever disobeys or neglects to comply with any order made, direction given, or condition prescribed in accordance with the provisions of this Chapter or impedes the lawful exercise of any power referred to in this Chapter, shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

DELEGATION OF POWERS

16. (1) The Local Government may invest the District Magistrate with the powers of a Local Government under section 4.

(2) The Local Government may invest any Sub-divisional Magistrate, or any police officer not below the rank of Deputy Superintendent or any military officer not below the rank of Captain, with any of the powers of a District Magistrate under this Chapter.

(3) The District Magistrate may, by order in writing, authorise any civil or military officer to exercise in a specified area or in connection with a specified operation or series of operations any of the powers of the District Magistrate under this Chapter or with which the District Magistrate has been invested under sub-section (1).

POWER TO MAKE RULES

17. (1) The Local Government, subject to the control of the Governor-General-in-Council, may, by notification in the *Calcutta Gazette*, make rules—(a) to prevent communications with absconders and to secure information of the movements of absconders; (b) to prevent attacks on the persons or property of His Majesty's subjects, or to secure information of such attacks and of designs to make such attacks; (c) to secure the safety of His Majesty's forces and police; (d) to regulate the exercise of powers conferred by or under this Chapter; (e) to provide for the custody pending production before a Court of prisoners taken in circumstances in which the provisions of the Code cannot be followed without undue inconvenience; (f) generally, to carry out the purposes of this Chapter.

(2) In making a rule under this section the Local Government may provide that any contravention thereof shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

BAR OF JURISDICTION

18. Except as provided in this Chapter, no proceeding or order purporting to be taken or made under this Chapter shall be called in question by any Court, and no civil or criminal proceeding shall be instituted against any person for anything done, or in good faith intended to be done, under this Chapter.

19. Nothing contained in this Chapter shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence punishable under this Chapter.

20. Notwithstanding anything contained in the Code, any offence punishable under this Chapter shall be cognizable and non-bailable.

21. (1) Notwithstanding anything contained in the Code, an offence punishable under section 160, 186, 187, 188, 189, 227, 228, 505, 506, 507 or 508 of the Indian Penal Code, or under section 17 of the Indian Criminal Law Amendment Act, 1908, shall be cognizable and non-bailable.

(2) Notwithstanding anything contained in section 195 or section 196 of the Code, any Court otherwise competent to take cognizance of an offence punishable under section 186, 187, 188, 228 or 505 of the Indian Penal Code may take cognizance of such offence upon a police-report being made to it under clause (a) of sub-section (1) of section 173 of the Code, but shall not proceed with the trial unless it has received a complaint in respect of such offence under section 195 or section 196, as the case may be, and the absence of such complaint shall be reasonable cause, within the meaning of section 344 of the Code, for postponing the commencement of the trial and for remanding the accused.

22. If this Chapter is extended to the Presidency-town of Calcutta, "District Magistrate" shall, for the purposes of this Chapter, mean, in that town, the Commissioner of Police.

CHAPTER II.

SPECIAL MAGISTRATE

23. Any Presidency Magistrate or Magistrate of the first class who has exercised powers as such for a period of not less than four years may be invested by the Local Government with the powers of a Special Magistrate under this Act.

24. Where, in the opinion of the Local Government, or of the District Magistrate if empowered by the Local Government in this behalf, there are reasonable grounds for believing that any person has committed a scheduled offence not punishable with death in furtherance of or in connection with the terrorist movement, or an offence punishable under this Act, the Local Government or District Magistrate, as the case may be, may, by order in writing, direct that such person shall be tried by a Special Magistrate.

25. (1) In the trial of any case under this Act, a Special Magistrate shall follow the procedure prescribed by the Code for the trial of warrant cases by Magistrates:

Provided that the Special Magistrate shall make a memorandum only of the substance of the evidence of each witness examined and shall not be bound to adjourn any trial for any purpose unless such adjournment is, in his opinion, necessary in the interests of justice:

Provided also that such Magistrate may, in trying any offence punishable under this Act follow the procedure prescribed in the Code for the summary trial of cases where no appeal lies.

(2) In matters not coming within the scope of subsection (1), the provisions of the Code, so far as they are not inconsistent with this Chapter, shall apply to the proceedings of a Special Magistrate; and for the purposes

of the said provisions the Special Magistrate shall be deemed to be a Magistrate of the first class.

SENTENCES BY SPECIAL MAGISTRATES

26. A Special Magistrate may pass any sentence authorised by law, except a sentence of death or of transportation or imprisonment for a term exceeding seven years.

27. (1) Where a Special Magistrate in any district passes a sentence of transportation for a term not exceeding two years or of imprisonment for a term not exceeding four years, or of fine, an appeal shall lie to the Court of Session.

(2) An appeal under sub-section (1) shall be presented within thirty days from the date of the sentence.

28. No direction shall be made under section 24 for the trial of any person by a Special Magistrate, for an offence for which he was being tried at the commencement of this Act before any Court, but, save as aforesaid, a direction under the said section may be made in respect of any person accused of a scheduled offence, whether such offence was committed before or after the commencement of this Act.

29. If in any trial under this Chapter it is found that the accused person has committed any offence, whether such offence is or is not a scheduled offence, the Special Magistrate may convict such person of such offence and, subject to the provision of section 26, pass any sentence authorised by law for the punishment thereof.

POWER TO EXCLUDE PERSONS FROM COURT BUILDINGS

30. A Special Magistrate may, if he thinks fit, order at any stage of a trial that the public generally, or any particular person, shall not have access to, or be or remain in, the room or building used by the Special Magistrate as a Court:

Provided that where in any case the Public Prosecutor or Advocate-General, as the case may be, certifies in writing to the Special Magistrate that it is expedient in the interests of the public peace or safety or of the peace or safety of any of the witnesses in the trial that the public generally should not have access to, or be or remain in, the room or building used by the Special Magistrate as a Court, the Special Magistrate shall order accordingly.

POWERS TO DEAL WITH REFRACTORY PERSONS

31. (1) Where any accused, in a trial before a Special Magistrate, has, by his voluntary act, rendered himself incapable of appearing before the Magistrate, or resists his production before the Magistrate, or behaves before the Magistrate in a persistently disorderly manner, the Magistrate may, at any stage of the trial, by order in writing made after such inquiry as he may think fit, dispense with the attendance of such accused for such period as he may think fit, and proceed with the trial in the absence of the accused.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or of being present in person if he has become capable of appearing, or appears before the Magistrate and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Code, no finding, sentence or order passed in a trial before a Special Magistrate shall be held to be illegal by any Court by reason of any omission or irregularity whatsoever

arising from the absence of any or all of the accused whose attendance has been dispensed with under sub-section (1).

SPECIAL RULE OF EVIDENCE

32. Notwithstanding anything contained in the Indian Evidence Act, 1872, when the statement of any person has been recorded by any Magistrate, such statement may be admitted in evidence in any trial before a Special Magistrate if such person is dead or cannot be found or is incapable of giving evidence and the Special Magistrate is of opinion that such death, disappearance or incapacity has been caused in the interests of the accused.

33. The provisions of the Code and of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of this Chapter, shall apply to all matters connected with, arising from or consequent upon a trial by Special Magistrates.

THE SCHEDULE

(a) Any offence punishable under any of the following sections of the Indian Penal Code, namely, sections 121, 121A, 122 123, 148, 212, 216, 216A, 302, 304, 307, 324, 326, 327, 329, 332, 333, 385, 386, 387, 392, 394, 395, 396, 397, 398, 399, 400, 401, 402 431, 435, 436, 437, 438, 440, 454, 455, 457, 458, 459, 460 and 505; (b) any offence under the Explosive Substances Act, 1908; (c) any offence under the Indian Arms Act. 1878; (d) any attempt or conspiracy to commit, or any abetment of, any of the above offences.

PUNITIVE FINE IN CHITTAGONG

Imposition of punitive fines was also contemplated by the Government in case the people of Chittagong failed to supply information leading to the detection of the perpetrators of the Pahartuli crime. In the course of a communique, dated September 29, 1932 the Bengal Government stated that the Chittagong outrage of the 24th September was of a character so atroci-out that it profoundly shocked the public opinion not only in India, but throughout the world. Stating briefly the facts, the communique added: "The raiders attacked the unsuspecting occupants of the Hall, belonging almost exclusively to a section of the community that had no reason whatever to apprehend an attack. The Government of Bengal are satisfied that it is impossible that preliminary arrangements for an enterprise of this kind could have been made and the plan itself executed without the knowledge of a great many people ordinarily resident in the locality. There can be no doubt, therefore, that there must be persons in Chittagong—probably many persons—who can if they wish, throw light on the occurrence and the perpetrators. It is the bounden duty of such persons to communicate their knowledge or suspicions to the authorities, and the Government expect and hope that such information as will lead to the apprehension of the criminals will be speedily forthcoming. But if by the 15th October such information is not forthcoming, the Government will feel impelled, very reluctantly, to impose a heavy collective fine upon that section of the community, which must be held to be responsible for having failed to organise itself in accordance with the most elementary obligations of citizenship for the prevention and detection of such atrocities by a section of its members."

TRANSPORTATION TO THE ANDAMANS

The Government of India in consultation with His Majesty's Government approved of transferring a number of convicted terrorists to the Andamans.

INDIAN LEGISLATIVE ASSEMBLY

THE September session of the Indian Legislative Assembly opened in Simla on September 5, 1932. In opening the session His Excellency the Viceroy reviewed the political situation in the country and announced the decision made by His Majesty's Government to hold the third session of the Round Table Conference. The Assembly discussed among others the Premier's Communal Award, Criminal Law Amendment Bill, Terrorist Outrages Bill, Capitation Tribunal, Income Tax Amendment Bill, Criminal Code Procedure Bill, Purchase of Coal for State Railways, etc. etc. An account of the proceedings follows date by date.

SEPTEMBER 5, 1932

VICEROY'S ANNOUNCEMENT

His Excellency the Viceroy, in addressing the members of the Indian Legislative Assembly, made a comprehensive review of the situation in India and of administrative problems ending with the announcement about the constitutional procedure.

ADMINISTRATIVE & ECONOMIC SITUATION

The Viceroy said that during the eighteen months of his office they had passed through a period of almost unexampled difficulty, both from economic and administrative point of view, but at the same time the Government had been moving steadily forward towards the goal of Responsible Government.

His Excellency said that the Frontier situation had caused them very little anxiety. The economic conditions which afflicted the agriculturists were still abnormal and there was dearth of money and slackness of trade. Only world revival could give the requisite stimulus to substantial improvement in the country. But there was some evidence that revival of prices had begun.

The Viceroy laid special emphasis on marked improvement in India's credit as shown by three loan operations since April last yielding fifty-eight crores. The floating debt in the form of treasury bills had been reduced from 84½ crores at the end of August 1931 to 24½ crores at the end of August last and the price Government paid for accommodation had been reduced from about 7½ per cent. to about 3½ per cent.

His Excellency, however, regretted that they could not contemplate any relaxation of that stern policy of rigorous economy in public expenditure which his Government outlined twelve months ago. The financial position of the railways was causing concern. His Excellency said that in spite of the most drastic economies last year, the morale and efficiency of the armed forces remained at a very high standard and they continued in a state of readiness to meet every call upon them.

Alluding to the Ottawa Conference the Viceroy said that the Indian delegates were given the freest possible hand and added: "There is one feature of the agreement to which I wish to direct very special attention. We felt that on the eve of great constitutional changes it would not be right to ask you to accept an agreement which would bind India for a long period ahead and it is primarily with this consideration in view that the agreement

is so expressed as to be terminable at six months' notice by either party to it."

POLITICAL SITUATION

Turning to the political situation the Viceroy referred first to the civil disobedience movement and reiterated that there could be no compromise in that matter and that the policy of the past eight months would continue so long as the circumstances existed which made them necessary. The Viceroy added: "It is a policy that has met with a remarkable degree of success. The no-rent campaign in U. P. has died away, and the Red Shirt movement in the North-West Frontier Province was rapidly brought under control. Over a greater part of India the mass of population is no longer concerned with civil disobedience."

The Viceroy referred to a fall in the number of convictions and remarked: "I do not wish to suggest for the moment that the civil disobedience movement is finished or that it does not still remain a very definite menace against which we can afford to relax our precaution. To us it is abundantly clear that the movement cannot succeed so long as Government maintains its existing policy."

Continuing, the Viceroy said that to bring about this result, Government had decided that before the expiry of the Consolidated Ordinance, the general law would be strengthened by the inclusion of a considerable number of provisions of the Ordinance. That would be insurance against the revival of any similar activities. In future, provincial legislation would reproduce other provisions of the Ordinance which local conditions appear to demand. The Viceroy declared that the Congress method was not of persuasion but of coercion and that Government must offer these methods a most resolute opposition.

Another and more sinister manifestation of this philosophy of force confronted them in Bengal and the catalogue of outrages was growing steadily longer The Viceroy said: "I would urge all law-abiding citizens most strongly not to let any feeling of sentimental sympathy with mistaken ideas of patriotism blind them to the terrible dangers this movement holds for them and for the future of their country."

CONSTITUTIONAL MATTERS

Referring next to constitutional matters, the Viceroy mentioned the valuable reports of the three Round Table Conference Committees and recalled the historic day when he inaugurated the Reforms in the Frontier. "I claim that the advance made had been justified by the results and I draw therefrom a moral that is not confined to the Frontier alone. In place of dissatisfaction we have contentment and the course is set fair for orderly and harmonious progress."

As regards Burma his Government would place before the Assembly proposals for stating their financial case before a tribunal, commanding the general confidence in India and in Burma

The Viceroy next referred to the Communal Award and said that as the only alternative to abandon all hope of constitutional advance which would be inconsistent with the aspirations and demands of many years, the practical choice must lie between the other two. The Viceroy emphasised that people in their ordinary lives are not divided in exclusive communal compartments. "I would, therefore, suggest to those, who are looking at Self-Government in India as a problem of Raj of one community or another, to reflect that in practice this is not a natural development, and I would urge them rather to contemplate as the more probable picture of the future a grouping of parties on the basis of economic or other non-communal interests."

His Excellency next referred to the constitutional reforms and the calling of a third but smaller R. T. C. in November, 1932. The extracts from this portion of the speech appear on page 364 under Reforms Issue.

The Viceroy concluded his speech with a personal note urging all to remove distrust and suspicion and the bitterness of communal differences. "Let us work together in the closest co-operation for the united purpose of securing a national spirit in India, for it is then and not till then, that India will take her rightful position among the nations of the world."

INDIAN OPINIONS ON VICEROY'S SPEECH

Sir Hari Singh Gour, Leader of the Opposition in the Assembly, commenting on the Viceroy's speech said: "The main question with which Indian public opinion is now concerned is how the Government are going to constitute the new Conference. It is important, that the Conference personnel in London should be representative of all shades of political opinion and not merely the opinion which was represented at the previous Round Table Conferences, and which failed to find proper solutions."

Mr. B. Das, Chief Whip of the Nationalist Party, said: "The Viceroy makes no secret of his relentless opposition to the Congress and all that it stands for. But I still hope that Mr. Gandhi will be invited to the conference. Not a word of regret is expressed for the mistake made by the Secretary of State's previous announcement. On the other hand an attempt is made to show that the revised procedure, which to be acceptable to the Liberals, must have involved a fundamental change is nothing but what the Secretary of State had always said and meant."

Sardar Sant Singh declared: "The Viceroy offers to India the alternative of no reforms if the award is not accepted. Well, we are prepared to accept that challenge. We propose to make it impossible for any constitution to work which is based on communal compartments of a most unjust basis, and which cuts at the every root of those fundamentals of life which really constitute politics and whose importance the Viceroy has now conceded. Ours is a fight to finish."

Rao Bahadur M. C. Raja felt sorry that there was no reference to the depressed classes in the speech, nor any word of sympathy and encouragement from the head of the Government. He regretted that the cause of his community had been badly let down by its representatives at the Round Table Conference, who allowed themselves to be exploited without gaining even just concession for their community.

Mr. Abdul Matin Chaudhury said: "The Viceroy's speech is very carefully worded. We have been promised responsible Government only to the extent that is considered practicable by His Majesty's Government. Herein lies the danger. If we remain divided among ourselves, the Governors will have given to them the amplest reserve powers and that some super-Ministers from the I.C.S.. will be created as so-called advisers of Governors. This Provincial Autonomy will not be worth looking at. It is clear that no Provincial Autonomy can shine without a radiating influence from a self-governing Centre."

Sir Mahomed Yakub said: "I think the Viceroy's speech is a very fair statement of the case and I approve of the constitutional procedure announced by His Excellency."

The Rt. Hon. V. S. Srinivasa Sastri stated: "Agreement between parties is not going to cover the entire field. Large tracts will be left to the decision of His Majesty's Government under the new arrangement. The British side no longer includes the three political parties in equal strength but is composed of members of His Majesty's Government who are Con-

servative by a large majority. It is clear that the resulting constitution will be largely determined by Conservative opinion. Nor can it be forgotten that such agreement will only be attained with the greatest difficulty and only in the smallest measure. The Viceroy seems to entertain the prospects of All-India Federation but there are others competent to judge, who do not share his confidence. Then there is the whole question of Indianisation of the army which has been dealt with in an unsatisfactory and disappointing manner by the Committee recently appointed in India. So long as this long-standing difference between Britain and India is allowed to continue, the way is blocked effectively to peaceful settlement. Then there are commercial and financial safeguards upon which no agreement, or only thin and shadowy agreement has been reached. These and similar topics are necessary parts of any settlement which the country is likely to accept."

Mr. C. Rajagopalachariar stated: "The Round Table Conference and agreed settlements were given up and there was an uproar. The result is that a "public session" is avoided and the private work will be on a "fixed agenda." That is to say, the old status is secured for a few nominated, selected "delegates," but there shall be no publicity and no initiative. Much distinction will be their lot but they will be well under lock and key. What is gained for status is lost for initiative and publicity. The Viceroy has again declared that his principals do not intend to come to terms with the Congress. This in other words means that what is wanted is not a Conference but a Conspiracy with minority groups. This in a way decides the nature of the constitution to be hatched. No minorities can govern without the foreign power having a large place in the constitution. We can thus see why a small select group of people are wanted and why a public session is not wanted."

BRITISH PRESS OPINION ON VICEROY'S SPEECH

The Manchester Guardian stated that the Government had gone some way to meet the distinguished Liberal leaders whose assistance they should cherish in the belief that if their policy were good for India, the leaders would eventually attract the support for working the new scheme of administration.

The Times said: "In modifying their programme the Government have provided very completely for the changes in the situation in India and also succeeded in renewing touch with Indian Liberals. The idea was to expedite the completion of their scheme and at the same time to maintain co-operation and consultation with representative Indians until the Reforms Bill is finally submitted."

The News Chronicle said: "It is excellent news that Indian moderates have approved of the plan for the renewed Round Table Conference and it congratulates the Secretary for India on the quickness with which he has adopted a policy to the altered situation."

VARIOUS OFFICIAL BILLS INTRODUCED

Sir Frank Noyce then presented the Select Committee reports on the Haj Bill and the Assam Tea Districts Emigration Bill.

Sir Alan Parsons introduced a Bill amending the Income-tax Act, to render all foreign income of a resident in British India from whatever source derived, liable to income-tax in British India, whenever it is received in or brought into British India.

Sir Frank Noyce introduced a Bill amending the Land Acquisition Act to permit land being acquired for the housing of labour.

Mr. G. S. Bajpai introduced a Bill amending the Emigration Act, with a view to clearing doubts and penalising persons assisting persons to emigrate. The Bill also provides for licensing of recruiters of all description and not only of such persons as make a business of recruiting.

Sir Frank Noyce introduced a Bill amending the Trades Disputes Act, giving effect to the Whitley Report regarding confidential information and their disclosure.

Mr. Tottenham introduced a Bill amending the Cantonments Act to exempt officers commanding the station from service as President of the Cantonment Board.

Sir Frank Noyce introduced a Bill to impose penalties on parties to agreements pledging the labour of children, and on persons knowingly employing children whose labour had been pledged.

Sir C. P. Ramaswami Aiyar introduced a Bill amending the Railway Act, to make it clear that railway companies referred to in Section 51, may own and operate unconditionally road motor services for the carriage of traffic in the areas served by their railways.

The Home Member introduced a Bill amending Section 526, Cr. P. C., by restoring the position as it stood before 1923, and recasting the provisions so as to eliminate certain ambiguities that had shown themselves.

ADJOURNMENT MOTION ON COMMUNAL DECISION

Sardar Sant Singh, moving the adjournment motion on the unsatisfactory nature of the Premier's Communal Award, said that it had roused the greatest opposition from the Punjab, and generally from the whole of the Hindu India. The Government, he held, had blundered from the very start, as they nominated to the Round Table Conference men who did not represent the people of India and who belonged to the most reactionary organisation. As regards representations in the Punjab, Sir Fazli Hussain, Chaudhury Zafarullah and Captain Sikandar Hayat Khan had wanted only one seat over all the other communities combined. The so-called Minorities Pact of London had increased that demand to 51 per cent. The Communal decision now gave 52 per cent to Moslems. This was opposed to the Simon Report, and to the Punjab Government's proposals. The Sikh had a special grievance, because the Punjab was the home of the Sikh religion and culture, and they were one of the major tax-payers of the province.

THE DEBATE

Mian Shah Nawaz said that the Round Table negotiations failed over the allocation of one seat and the Sikhs were solely responsible for that failure. The Moslem Conference and the Moslem League had always demanded a statutory majority, and 56 per cent of the seats. He had no doubt that the time was not far off when, with greater enlightenment, political sagacity and experience, communal concord would be brought about by mutual agreement. He advocated the acceptance of the revised constitutional procedure, so that a lasting settlement between India and Great Britain might be brought about to contribute to the peace of India and of the world.

Sir Hari Singh Gour spoke on behalf of Bengal and the Punjab interests in his party. He read the statement given to him by Mr. K. C. Neogy, that injustice had been done to Bengal by thrusting on her separate electorate, in spite of the wishes of the local Council in favour of joint electorate and the embodiment of such a scheme with the unanimous consent of all parties in the recent Municipal legislation. Continuing, he said: "The objection of the members on this side of the House is that the decision is unworkable and impracticable, that instead of bringing communities together in the

near future, it will take them further and further away from each other, and will defer that millennium of national solidarity which the Viceroy so feelingly gave utterance to in his opening speech in the Assembly."

OFFICIAL REPLY TO THE DEBATE

Sir C. P. Ramaswami Aiyar, Leader of the House, asked the critics to remember that, though the Assembly was not called upon to elect members, the Round Table Conference did have some prominent members of the House on it. He added: "But it is not only the Round Table Conference that failed to solve the problem; the All-Parties' Conference too failed to solve it. The London negotiations in 1930 failed over one or two seats, because some had a spirit more of take than of give." He claimed that there was no other course but to seek arbitration. That settlement had been given, and as the Viceroy had stated in his magnificent speech that morning, the actual working of the Legislative Councils would depend on the economic, social and other problems and not on the communal problems. He appealed fervently not to waste energies on those side-issues but to unite on those fundamental things that mattered on the form of the constitution and the methods whereby freedom might be attained. He hoped that time might soon come when they would not be discussing the communal award because they would have much bigger, better and final issues to debate and to resolve.

THE DEBATE CONTINUES

Mr. A. H. Ghuznavi declared that he would not allow a majority community being reduced to the position of a minority, but still that was the result in Bengal, where the Moslems who were entitled to a statutory majority of 51 per cent got only 48.4. Relating the failure to arrive at a solution at the Round Table Conference, the speaker deplored the Sikh attitude for a civil war, though they had got all they wanted with considerable weightage.

Sir Cowasji Jehangir had no personal grievances against the award. Speaking of British statesmen, he could say with authority, that they were great opponents of the principle of separate electorate. He concluded that, for all these evils, unity and unity alone was the remedy.

Mr. N. M. Joshi expressed the opinion that the Government decision was not only wrong in principle, but unfair and unequal in application. He added: "It is wisdom on our part at the present moment to accept the award without any bickerings." He held that there was no communal bickering between the masses of the people, of whom the speaker had experience.

Rao Bahadur M. C. Rajah, representative of the Depressed Classes, held that the entire community was dissatisfied with the award and felt that the delegates to the Round Table Conference had betrayed them. Depressed Classes, who under the joint-electorate scheme of his, could assert their weight, would now be politically ineffective.

Sir Abdur Rahim was surprised at the decision to give Europeans and Anglo-Indians 29 seats in Bengal. Concluding, he opined that when people were saddled with responsibility, they would forget all their communalism.

Mr. Morgan, repeated what the Viceroy had said in his speech, that either the communities should accept the award or agree amongst themselves. As to the attack on Europeans, Mr. Morgan said that he was quite ready to join any Conference of Hindus, Moslems and other communities for a solution.

Mr. K. C. Neogy said that Mr. Morgan had justified European representation because of their large stake. The Hindus of Bengal had the

largest stake of all. Why not apply to them the same principle and also to the Sikhs of the Punjab. He recalled the speech made by Mr. Ramsay MacDonald in the House of Commons, in which he had declared that communal electorate could never yield national political parties. He said that the Sikhs were not at fault at the Round Table Conference. It was wrong on the part of the Moslems to give them seats at the expense of the Depressed Classes. In Bengal, some Labour seats and University seats would go to the Moslems, while an attempt was even being made to set up a Moslem Chamber of Commerce, with the assistance of Europeans, to take away even the Commerce seat from the Hindus.

DEBATE TALKED OUT

At one stage, Nationalist benches demanded closure, but the motion was lost as only 23 persons wished to have closure.

The motion was "talked out."

SEPTEMBER 6, 1932.

DISSOLUTION OF HINDU MARRIAGES

Mr. Raju moved for circulation of Sir Hari Singh Gour's Bill to remove certain doubts regarding the dissolution of marriages of persons professing the Hindu religion.

Sir B. L. Mitter, the Law Member, stated that the Government attitude was one of absolute neutrality. Personally, he considered the Bill to be a humane measure, but the Government would not be justified in taking a view which was against the general opinion of the community concerned. In the circumstances the Government would neither support nor oppose the motion at this stage.

Sir Hari Singh Gour called upon the Government to come to his rescue by supporting the motion which the Law Member himself described as a humane measure. He appealed to the House not to listen to the advice of Mr. Maswood Ahmed to leave the question entirely to those affected by it and not take part in the voting.

MOTION FOR RECIRCULATION PASSED

The motion for recirculation was carried by thirty against twenty-three votes.

CHILD MARRIAGE ACT

Raja Bahadur Krishnamachariar, moving an amending Bill to the Child Marriage Act, said that, according to Hindu Sashtras, marriage meant irrevocable betrothal and it did not mean the same thing as it was understood in the West.

Sir Hari Singh Gour was of opinion that owing to the decadence of Hindu society, the system of early marriages became customary. Unless there was cogent and consistent argument as to anything was wrong in the Act, he would not see why any amendment was necessary.

Mr Lalchand Navalrai said that no case had been made out for amending the Sarda Act.

Pundit Sen quoted lengthy extracts against the Act.

The debate was put off for future discussion.

ADJOURNAMENT MOTION ON ADVISORY CAPITATION TRIBUNAL

Mr. B. Das moved the adjournament of the House to discuss the unsatisfactory character of the terms of reference of the advisory capitation tribunal. He said that though the question of the capitation charges was so important to India, yet the first information about it was given in the British Press. The communique declared that the Capitation Tribunal would

examine not only the question of the capitation charges, but also India's claim that contributions should be made by the British Government towards military expenditure in India. This latter question raised a very wide subject. It had been discussed by the Defence Sub-Committee of the Round Table Conference. It should have been tackled independently and not put as a side issue before the Advisory Tribunal. Mr. Das declared that India was paying contributions five times more than all the mighty Dominions put together.

Mr. S. C. Mitra said that Mr. Das's motion was not meant as a censure, because official and non-official opinion agreed on the subject, but the terms of reference had aroused suspicion. India was paying, before 1908, £7-10 sh. per capita for recruitment and training of the British Army men for services in India. This was raised in 1908 to £ 11-8 sh. The British Government demanded after the War so much as £ 28-10 sh. per capita. The Tribunal was to meet in a hole and corner manner. He wanted to know why the report should be submitted to the Prime Minister only, and not to the Indian Legislature.

ARMY SECRETARY'S REPLY

Mr. Tottenham, Army Secretary, replying, welcomed the discussion, as it would enable him to clear a misapprehension. Though the Tribunal would be advisory, its report would carry maximum weight. The terms of reference did not include political or constitutional questions at all, but only financial questions. The terms of reference attempted to put in the first para the British claim that there should be a charge made to Indian revenue for training and recruiting British army men for service in India. The second para put the counter-claim made by India, that no such charge be made in view of the fact that India too rendered services to His Majesty's Government by employing those troops in India and that money value should be attached to that service. He further added that this had nothing to do with the recommendation of the Defence Committee of the Round Table Conference for an expert enquiry. This expert enquiry had already been held by experts appointed by His Excellency the Commander-in-Chief, and their report had been forwarded to the British Government who would refer it to the Imperial Defence Sub-Committee. He emphasised that the questions before the Tribunal would be purely financial, and the procedure would correspond, more or less, to that of hearing appeals in a court of law. Both His Majesty's Government and the Government of India would submit written statements of their claims, and counsels on behalf of the respective Governments would argue their case. There would be no witnesses, either official or non-official. The Indian case had been under preparation for months, and the final touches were now being given to it. There would be a leading English Barrister and an eminent Indian lawyer to argue the case of the Government of India. Concluding, he contended that considering the limited nature and scope of the enquiry, no more business-like or satisfactory procedure could have been devised. It was considered wise in all military matters to make the proceedings confidential, but he had no doubt that the report of the Tribunal would be published. There could be no more suitable authority than the Prime Minister for submission of the Report. The India Government and the Legislative Assembly would have a full opportunity of considering it before decisions were taken. He undertook to communicate the day's debate to the authorities at Home. This was a matter in which official and non-official opinion coincided. Indeed, for the past fifty years, even before non-official opinion took an interest in the matter, the Government of India had been pressing for justice to India.

DISCUSSIONS PROCEED

Sir Abdur Rahim complained that the Legislative Assembly was being systematically treated by the Government with contempt.

Sir Alan Parsons said that the Tribunal would be quasi judicial in nature. The Government would be prepared to place before the House the report of the Tribunal which would carry great weight. As to the question, whose decision would be final, he said, there would be an agreement between the Government of India and the British Government.

Mr. Shafee Daoodi thought that this was a question in which enormous financial obligations were involved, and it was therefore necessary that the Legislative Assembly should get some control over this expenditure. He suggested that Mr. M. A. Jinnah, an eminent publicman and barrister and one who had interested himself in subjects of this character, should be one of the two Counsels.

Dr. Ziauddin said that the whole question of the Tribunal was entirely premature.

Mr. Bhagatram Puri wanted to know whether the Government had invited non-officials to advise in this matter. He considered that the Government of India would be ill-advised if they disregarded Indian opinion, which could easily be made available.

Mr. Karibuddin Ahmed was surprised at the rumours current that Chaudhuri Zafarulla, temporary Member of the Viceroy's Council, would be appointed one of the Government of India's advocates, because no one had previously heard his name.

Sir Alan Parsons informed the House that there was no intention of appointing Chaudhuri Zafarulla as Counsel in this case.

Mr. C. S. Ranga Aiyar held that the question was not one purely financial. It had also a political and constitutional bearing. He asked why, when the Chairman was a Colonial non-official, only officials were taken from India. The War Office had made further claims on India: "The tragedy of the military question has always been the domination of the War Office. I demand that India should not pay for the army of occupation."

Mr. B. Das replying to the debate, said that the motion was to censure the Government for including in the terms of reference larger constitutional questions. It was a censure on the British Government and the War Office.

MOTION LOST

The motion was put to vote, and defeated by 49 against 18 votes.

SEPTEMBER 7, 1932.

MINIMUM RATE FOR PASSENGER TRAFFIC BY SEA

Dr. Ziauddin Ahmed moved: "This Assembly recommends to the Governor-General-in-Council to take necessary steps for the purpose of fixing a minimum rate for the passenger carrying trade by sea between the coastal parts of India." He recalled that the House had passed Mr. K. C. Neogy's Bill fixing minimum rates in respect of inland water traffic. He wanted the same principle to be accepted in the case of coastal trade as the circumstances were identical and the Indian interests were being crushed by the rate war by powerful British interests. He gave an instance how the B. I. S. N. had reduced from Rs. 12 to Rs. 6 its fare and from Rs. 14 to Rs. 4 per maund its freight to kill the Indian competitor and how, when that competitor was killed, rates were raised to a level even higher than those existing previously. When, however, another Indian competitor came in, the rates were again brought down similarly and the passengers were given even free motor rides and presents like handkerchief. He contended that there should be no monopoly of Europeans in the coastal trade of India.

On the other hand, if monopoly were to exist, it should rather be of the Indians.

THE DEBATE

Mr. Abdul Matin Chaudhury, who had given notice of an amendment, asking that both maximum and minimum rates be fixed, said that he would not move the amendment. Supporting the resolution, he drew attention to Mr. Gandhi's observations on the subjects at the Round Table Conference in support of the resolution. He asked whether the Government was going to stand aside as spectator when Indian companies were being crushed and ruined and, what was worse, keep on paying a huge subsidy to the B. I. S. N. to carry mails. He particularly complained that the A. B. Railway were giving through booking facilities to the B.I.S.N. and refusing the same to the Indian companies. He recalled that the Mercantile Marine Committee's recommendation for a licensing board had not been adopted and asked the Government at least to honour the promise they gave in 1929 to secure adequate representation of Indian interests in coastal traffic.

Mr. N. M. Joshi opposed the resolution as Mr. Abdul Matin Chaudhury had not moved the amendment. He said that the resolution was one-sided as it would help the capitalist by fixing the minimum rates and not the passengers for whom the maximum rate should also be fixed. If the Government was to intervene it should protect both the passengers and the capitalists.

Mr. H. M. Smith said that the principle involved must be resisted without qualification or reserve.

Mr. Ram Krishna Reddy said that it was only after the Indian companies survived the competition, that time would come for fixing maximum rates.

Mr. Anwar-ul-Azim said that some sort of working compromise should be found, but maintained that Government must find some *modus operandi* to stop the rate war.

Mr. Uppai Sahib also supported the resolution; and Mr. B. Das hoped that the Commerce Member, who was an Indian, and knew full well how the shipping industry had suffered in the past, would see to the justice of the Indian demand.

Mr. S. C. Mitra supporting the motion referred to Mr. N. M. Joshi's remarks that fair play would conduce to the consumers' advantage, but Mr. Mitra contended that if ruthless competition were allowed to wipe out indigenous industry, the foreign companies would abnormally raise their rates.

Sir Abdur Rahim pointed out that shipping trade for India, which had an extensive coast, was one of her vital concerns for her prosperity. The destiny of India was at present in the hands of Britishers who were the greatest maritime nation in the world and it would be disastrous if England should, in any way, interfere with the indigenous concern.

Sir Leslie Hudson thought that it could not be in the interest of any one that there should be any fixation of rates which would do away with efficiency. People will take advantage of the fixed rates to work up to a certain point and would not trouble themselves to improve the methods of transport.

Sir C. P. Ramaswami Iyer, Commerce Member, explained that the Government are not opposed to the root idea of this resolution, but he maintained that it was not possible, for certain reasons, to start immediate legislation or legislation on the lines indicated in the resolution which was not practicable. Firstly, if and when Burma was separated, the aim and purpose of the resolutions would be nullified. The proper solution was a *modus vivendi* between the various companies in India. To ensure fair deal for small Indian companies, the Government would be fully empowered to

exercise control over rates so as to render that a weak company could not be squeezed out by a strong one by an unfair cutting of rates. The fixing of rates was an ineffective way of dealing with that question, for it could very easily be evaded. If the resolution was adopted, many companies would be started and hundreds of idle ships abroad would be brought here to add to the bitter competition. It was the object of the Government to make the smaller Indian companies thrive and live, and the Government was anxious to explore all possibilities for such assistance.

Sir Hari Singh Gour said that he was disappointed at the attitude of the Commerce Member, who, he expected, would deal with the question in a spirit of broad statesmanship. What the resolution wanted at the present moment was simply protection for the indigenous companies strugging to live against a powerful combine, whose unfair rate-war had brought their very existence into danger.

Sir Cowasjee Jehangir said that there was no element of discrimination involved, but they were asking merely for the removal of a monopoly not sanctioned by Government or by the Legislature.

Mr. K. C. Neogy could not see why the separation of Burma should stand in the way of the present resolution.

Dr. Ziauddin Ahmed, replying to the debate, said that the Commerce Member had started on the assumption that Burma would be separated, but even if Burma was separated trade relations could still exist.

Sir C. P. Ramaswamy Iyer, in winding up the debate, proclaimed that Government were quite alive to the necessity ot taking, as speedily and effectively as possible, measures to control coastal traffic.

RESOLUTION PASSED

The resolution was passed by 50 against 44 votes.

SEPTEMBER 8, 1932.

CRIMINAL LAW PROCEDURE CODE BILL

The Criminal Law Procedure Code Bill, introduced in the Assembly on September 5, was discussed.

Mr. H. G. Haig, moving reference to the Select Committee of his Bill to amend Section 526, Cr. P. C., said that that section was drastically amended in 1923 and the experience gained had made an overwhelming case for revision. He made it clear that the Bill in no way affected the grounds whereon a criminal case might be transferred, nor affected the right of any person going to court at any stage of the proceedings with a view to secure a transfer. It proposed to abolish the procedure which in certain circumstances provided for a compulsory adjournment. The Home Member explained that, under the law as enacted in 1923, there was no limit to the number of applications that could be made in the course of a single case. Secondly, there was no obligation on the party which notified its intention to move the High Court taking any such action or giving reason for not doing so while securing its purpose of adjournment. The position that had arisen was summed up by Justice Lord Williams' remarks: "No accused person can be convicted except with his own consent." Justice Malik had concurred with the views of Lord Williams. The Home Member next quoted from the overwhelming volume of judicial and administrative opinion gathered by the Government, and pleaded that in view of the overwhelming opinion, the House should agree to the principle of restoring to court the initiative and discretion which should be theirs and not make adjournment compulsory. He wanted the House to accept the

principle of the Bill and, consistent with that, he expected that eminent lawyers would help them to draft the section in the proper way. The law as it stood had led to most serious abuse and should be improved upon."

Mr. C. S. Ranga Iyer proposed that Mr B. R. Puri be added to the Select Committee and Mr. S. C. Mitra proposed Mian Shah Nawaz. The Home Member accepted both the proposals.

THE DEBATE

Mr. B. R. Puri was disappointed that the proposed enactment, with one stroke, took away the right of transfer at any stage of inquiry. The accused hereafter would have to notify the transfer even before the first prosecution witness had been examined and that might prejudice the Magistrate, who otherwise would have been inclined to do justice—thus injuring accused's interests. Continuing, Mr. B. R. Puri held that the accused could not anticipate the Magistrate's behaviour before the trial began, and it was to be remembered that any application to the High Court involved the risk of annoying the Magistrate, who would thereafter hardly be expected, unless he was a super-Magistrate, to hold the scale even. Then again, if the law was abused by a few, it was no reason why the majority of persons should be penalised and deprived of their redress. He was opposed to the Bill on the ground that making it more rigorous would put more hardships on the accused. He suggested that the existing section might remain intact if the Magistrate were given discretion to grant an adjournment where one had already been granted.

Mr. F. James was surprised why the amendment had not been made earlier. He asked the House to consider the Government's proposals in the light of impartiality of the judiciary, need for speed and the cheapness of cost.

Mr Yamin Khan was opposed to the Bill if Government would not allow the Select Committee to make changes which might not suit Government and also improve the law.

Mian Shah Nawaz also favoured a Select Committee.

Sir B L. Mitter observed that the entire criticism was not against the object of the Bill, but against specific provisions. Replying to a question by Sir Muhamed Yakub, he added that the principle of the Bill was to stop the existing unlimited scope for compulsory adjournment. Similarly, the suggestion of Mian Shah Nawaz and Mr Puri for limiting compensation by the High Court to a specific figure could be gone into by the Select Committee. He also agreed with Mian Shah Nawaz that the provisions of inherent jurisdiction in the section which Mr. Puri had quoted could not be used in contravention of express power.

Mr Lalchand Navalrai backed Mr. Puri's suggestion and deprecated rushing the Bill.

Sir Muhamed Yakub said that the law was abused, but there were many sections abused by Magistrates. He could not understand the hurry wherewith Government brought forward a legislation. Accused's rights should be protected and he endorsed Mr. Puri's amendment. He wanted an assurance that such an amendment could be moved in the Select Committee.

GOVERNMENT REPLY TO THE DEBATE

Sir C. P. Rawaswamy Iyer repeated the assurance given by the Law Member that the Select Committee could discuss them.

Mr. Haig, replying to the debate, said that every member had a right to argue the question in all its bearings.

REFERENCE TO SELECT COMMITTEE

The motion for a Select Committee was then put and agreed to.

SEPTEMBER 12, 1932.

CRIMINAL LAW PROCEDURE CODE BILL CONTINUED.

Mr. Haig, Home Member, presented the report of the Select Committee* on the Bill amending the Criminal Procedure Code.

LAND ACQUISITION AMENDING BILL

Sir Frank Noyce moved the consideration of the Bill amending the Land Acquisition Act to provide for the acquisition of land by private employers for labour housing purposes.

Dr. Ziauddin Ahmed wished for some chance to prevent the misuse of such property acquired for housing purposes when such purposes ceased to exist.

Mr. Morgan said that the Bill was very necessary as lands were held up for fancy prices.

Mr. Clow, replying, assured the House that the law would provide against abuse, as no property could be acquired without the consent of the Local Government and that the safeguards which had been found workable in the case of companies should do equally well in the case of individual employers.

Sir Muhammed Yakub asked why the abnormal procedure was adopted in the case of the normal legislation and moved for circulation of the Bill.

Sir Cowasji Jehangir agreed that public opinion should be ascertained.

Sir Frank Noyce said that the Government had no objection and the Bill was accordingly to be circulated for eliciting public opinion.

INDIAN EMIGRATION & INDIAN CANTONMENT ACTS PASSED

The House then passed Bills amending the Indian Emigration Act and the Indian Cantonment Act without discussion.

PLEDGING OF CHILDREN'S LABOUR BILL

Sir Frank Noyce moved for consideration of the Bill prohibiting pledging of labour of children. He said that this Bill would put a stop to the practices in Madras, Ahmedabad and Amritsar, discovered by the Labour Commission. The Government wished the Bill to be enacted now, but if the House so desired it could circulate it.

Mr. Maswood Ahmed moved for circulation of the measure and said that it would be better to improve the conditions for employment of children and opined that Trade Unions should be consulted.

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* The Select Committee on the Criminal Cases Transfer Bill to amend the code of criminal procedure consider that the power to obtain an adjournment on notifying to the Court, the intention to apply for a transfer should not be confined to cases where the notificat on is made before a trial begins. The Committee think that the provisions should be made for compulsory adjournment if the party notifies an intention to move for transfer any time before arguments begin, that is, before the defence closes. Recognising that the present abuse must be checked, the Committee provide that once a party has secured an adjournment, the court is not bound to adjourn on subsequent intimation of any intention to apply for transfer by the same party. Where there are more than one accused, it shall not be possible for the different accused, by a series of successive intimations, to secure a series of adjournments.

The Committee note that the inherent power of a court under Section 344 to adjourn a case is not affected, but have inserted an explanation to make that clear.

Mr. Amarnath Dutt, in a dissenting note, thinks that the safeguard given is illusory, and not real. The speedy disposal of a case should not over-ride the dispensation of justice.

Mr. B. L. Patil, in a separate note of dissent, says that in principle one accused in no sense represents another and practically their interest may be conflicting.

Mr. Gayaprasad Singh opposed the dilatory motion of the previous speaker.

Mr. Joshi said that there was not a single trade union in the country which would not support the Bill.

Mr. Milligan supported the principle of the Bill, but felt that it would fail in its object unless, besides parents and guardians, it penalised every person who pledged the labour of children in collusion with the parent or guardian.

Mr. Muazzam Sahib wanted some remedy for improving the lot of the young boys in small factories, other than domestic servants.

Mr. Jog opposed the measure as being revolutionary and too wide in character and said that it would affect every household, not only in towns but also in villages.

Sir C. P. Ramaswami Aiyar explained that the Bill intended to prohibit the mortgaging and pledging of children and the penalty attaching to such actions. If there were any defects and the Bill required alterations, that could be done in the Select Committee without the Bill being circulated.

The Bill was then referred to a Select Committee.

ANCIENT MONUMENTS PRESERVATION ACT PASSED

Mr. Bajpai moved an amending Bill to the Ancient Monuments Preservation Act of 1904.

Dr. Ziauddin supported, but Mr. Lalchand Navalrai raised certain objections and wanted further assurances from the Government.

Chaudhuri Zafarullah Khan, Education Member of the Government, assured the House that it was the primary object of the Government to preserve antiquities and ancient treasures in India itself for the purpose of knowledge and education. By passing the Bill the Assembly would be authorising excavations under Government supervision, so that exportation could be prevented. He further assured the members that the rules would be administered in the proper spirit and having regard to the main object of the Bill that preference shall always be given to Indians, and hoped Mr. Navalrai would withdraw his amendments.

Mr. Lalchand Navalrai withdrew all amendments except that a provision be incorporated in favour of antiquities found under private property being divided with the original owner of the property if he wished to have a share.

Mr. Yamin Khan, Dr. Ziauddin and Sir Cowasjee Jehangir opposed the amendment, which was lost.

Finally the Bill was passed without division

AGE OF CONSENT BILL EXTENDED

Sir Hari Singh Gour moved to allow his Age of Consent Bill to be continued.

Raja Bahadur Krishnamacharya opposed the motion as no special reason had been given to persuade the House to make an exception in the case of such a contentious bill.

The House divided, Government remaining neutral. Europeans, Independents and some Nationalists voted with Sir H. S. Gour and the motion for continuing the Bill was carried by 36 to 29 votes.

SEPTEMBER 13, 1932.

MOTION OF ADJOURNMENT ON MAHATMAJI'S FAST

Mr. C. S. Ranga Aiyar in moving his motion of adjournment to discuss the letter of Mahatma Gandhi to the Prime Minister, involving Mahatmaji's decision to die observed: "To-day, very rightly and very nobly in obedience

to the mandate of our Rishis and the faith of our Gods, the Mahatma has taken up the duty of revolting against a decision which will split up our faith and our race and pass a statutory condemnation on our religion. He has taken a vow to resist that decision with his life. Who dies, if the Mahatma lives, and who lives, if the Mahatma dies? He has decided to die, so that the Depressed Classes may live. The Prime Minister of a foreign nation, alien in thought, outlook and with limited wisdom, justifies this segregation. I look upon this segregation as driving the thin end of the wedge. This is a conspiracy to break up the joint family of our Hindu community. This conspiracy will be resisted by the Hindus so long as they have faith in their gods and in their religion. Mahatma Gandhi has declared himself for over-representation of the Depressed Classes. It is for the Premier to honour his pledge and allow an opportunity to the Mahatma and the Hindus to arrange a settlement among themselves." He asked whether the Prime Minister knew more about the Depressed Classes than Mahatma Gandhi. Then again, there was Mr. M. C. Rajah, twice nominated to the Assembly as Depressed Class representative. He had entered into a pact with Dr. B. S. Moonji of the Hindu Mahasabha. Why did the Government listen to the view of propped up Associations, bogus institutions and men who had no following, but were widely advertised in the columns of anti-Indian Press? Why did not the Premier accept the Raja-Moonje Pact ? Concluding, he said: "Let Great Britain make up and save Mahatmaji and thereby save their connection with India. If the Mahatma dies, with him will die the British connection with India, and a new generation will be born with hatred of Britain and everything British."

VIEWS OF THE DEPRESSED CLASSES

Rao Bahadur M. C. Rajah said that the question before the House was the situation created by Mahatma Gandhi opposing the grant of communal electorates to the Depressed Classes. The correspondence showed that the Government had enough warning. They did not attach full importance to the considered views of the depressed classes expressed in their conferences. They should have taken at least the grave warning given by Mahatma Gandhi and desisted from the course of creating separate electorates. Proceeding, he claimed that his community was already in favour of common electorates and pointed out that Dr. Ambedkar pleaded for joint electorate with reservation of seat before the Simon Commission and even at the first Round Table Conference demanded joint electorate with reservation of seats. He did not know what brought about a revolution in the state of mind of Dr. Ambedkar at the second Round Table Conference. "In his letter to Mahatma Gandhi, the Premier tells us," continued Mr. Rajah, "that he has given separate electorates for twenty years, to enable us to get a minimum number of seats to place our views before the Government and the Legislature of the day. This privilege we have already enjoyed under the Montford Reforms, and it has enabled us to get representation in numerous local bodies and in the legislatures, both Provincial and Central. We are sufficiently organised for that purpose, and do not need either special pleading and special succour in the future. What we do need as a real remedy for our uplift is the definite power to elect our representatives from the general constituencies and hold them responsible to us for their actions." He failed to see why the Prime Minister called the scheme of joint electorates with reservation of seats as impracticable. It was already in force in the local bodies in Madras and some other provinces, and had worked very satisfactorily. He contended that the scheme enunciated in the Communal Decision involved their segregation and made them politically untouchable. He was surprised at the argument of the Prime Minister that there was no segre-

gation because they could vote for caste-Hindus who would have to solicit votes. Mr. Rajah further observed: "I am convinced that there is a change of heart and a change in the angle of vision of the Caste-Hindus and we the Depressed Classes, feel that the moral conscience of the Hindus has been roused to such an extent that our salvation lies in bringing about a change from within the main body of Hindu Society and not by segregating ourselves from them. The course adopted by the Government would certainly arrest the progress of this most laudable movement. The Premier is for separate electorates, to secure a minimum number of spokesmen for the Depressed Classes. Mahatma Gandhi's decision is for over-representation of the Depressed Classes in joint electorate. My pact with Dr. Moonjee of the Hindu Mahasabha, gives my community reservation of seats on a population basis through joint electorates." Concluding, Mr. Rajah said: "I would therefore ask the Government to take this assurance from me, that our best interests require that we should not be dissected from the Hindu community but that we should have our due representation in the legislatures on the basis of reservation The crisis that faces us to-day is very grave There hangs in the balance, the life of the greatest Indian of our time, and there hangs in the balance the future of the millions of the down-trodden people of this country. Is the Government going to take the responsibility for killing one and reducing the other to perpetual servitude? Let it make its choice well and wisely."

THE DISCUSSIONS

Mr Sant Singh urged the Government to take stock of the situation that had arisen in consequence of the Communal Award, and warned the Government that the agitation amongst the Sikhs was growing.

Mr. Haig, Home Member, said that Mr Gandhi's threatened action was intended to force on the Government and public opinion a particular solution on a matter of public policy. No Government could possibly let its action be influenced by methods of this kind. If this principle were once accepted, there would be an end of Government, as the present Government understood it, or as the people contemplated it If Mr. Gandhi's method was accepted, they would soon find themselves under a dictator of a novel kind in the history of the world. The Communal Award had been given, because there was no agreement reached between the Depressed Classes and the caste Hindus. If an agreement was reached before the new Government of India Bill was ready, then that would be taken, as an acceptable alternative. But in the absence of such agreement what could Government do ? Mr. Gandhi's action, the Home Member continued, was really directed to bringing pressure to bear not on His Majesty's Government, but on the representatives of the Depressed Classes, so that they might adopt his views. Mr Gandhi was trying to do this by coercive methods, which were not reasonable in the political sphere. The Premier's Award allowed every Depressed Class voter to vote in joint electorate in the general constituencies with all other Hindus, and so there was no segregation in it. In addition to that, there was the provision of separate electorates for a limited period to allow their spokesman to voice the ideals of the community. The Depressed Classes required a special measure of protection, as under the new Constitution there would be no foreign element to hold the scales even.

Sir Cowasjee Jehangir related the history of the discussion in the second Round Table Conference of which he was a member, and said that it was the unfortunate refusal of Mr. Gandhi to agree to the demand of Dr. Ambedkar for reservation of seats, that led him (Dr. Ambedkar) to ask for separate electorates. Reading between the lines of Mr. Gandhi's letter

to Sir Samuel Hoare and the Premier, Sir Cowasjee Jehangir thought that Mr. Gandhi had now changed his view, and was prepared to concede reservation of seats. That being so, Mr. Gandhi should be given an opportunity of mediating between the Ambedkar and Raja schools of thought, so that there might be peace on this particular issue and a solution of his and other problems.

Sir Mahomed Yakub said that Mr. Gandhi's resolve would perturb a very large section in this country—even those who did not share his political views. At present, there are only two courses open. One was for the Government to modify the decision without consulting the community concerned. This course was absolutely impossible, for it would lead to loss of Government prestige, and everybody would try to use this method for his own ends. The other course open was for the Hindus and the Depressed Classes to come to a mutual agreement. This could be achieved if the higher Caste Hindus cast open temples and other places of worship to the "Untouchables."

Mr. F. E. James thought it was curious that, in recent history, this little man, Mr. Gandhi, had such a disconcerting way of intervening with his amazing and complex personality. When Mr. Gandhi failed in London, it was up to him to try to settle the communal question afterwards. Efforts for an agreement amongst the communities themselves would be far more practical than hurling curses on an alien Government. According to his experience as a member of the Provincial Franchise Committee, he was in a position to say that the Depressed Classes were divided, and that the Communal decision gave the best solution for the deadlock. As far as the European group was concerned, they were unconcerned, as to the particular system of electorate granted to the Depressed Classes.

The Hon'ble Sir C. P. Ramaswami Aiyar said, "Mr. Gandhi's method of solving a political question by non-political methods, is one which is fraught with the greatest possible danger to the constitutional development of this country." Proceeding, the Leader of the House read out a statement saying: "Opportunities will no doubt arise for Mr. Gandhi to put forward his point of view, and to try to effect the change of opinion which he hopes for. It must be remembered that the suggested change of opinion must be such as will fall within the terms of the Premier's announcement." He further said that the only way to solve the problem was by mutual discussion and mutual agreement. He was glad to hear from Rao Bahadur Rajah that his community was prepared to trust the higher castes with the interests of their community. Mr. Gandhi's influence would be potent in that direction. The method of direct action, the speaker observed, had in it implications and repercussions, fatal to orderly and constitutional development.

Sir Hari Singh Gour said that Mr. Gandhi had put into his letter to Sir Samuel Hoare a pregnant sentence, namely, that he hoped on his return to India to mobilise public opinion against separate electorates for Depressed Classes. But it was not to be. Sir H. S. Gour blamed the Government for denying Mr. Gandhi that opportunity. As regards the merits of the controversy, he said that if Mr. Gandhi had been present in the visitors' gallery, he would have known whether the Caste-Hindus had in any way relaxed their conservatism, whether they were not still opposing all reform. However, he wished to know whether the Government would give Mr. Gandhi an opportunity now for mobilising public opinion.

Sir Abdur Rahim also thought that direct action would lead to a serious situation. While the Depressed Classes deserved proper representation, there was no use in abusing the Government for their Award. When Mr. Gandhi's opinion coincided with that of the Hindu community, it would be

politic and wise for the Government to give Mr. Gandhi facilities for endeavouring to arrive at an agreement.

Mr. S. C. Mitra deplored that Mahatma Gandhi, who came back from London to preach his views to the Depressed Classes, was arrested.

MOTION TALKED OUT

The adjournment motion was thus talked out.

SEPTEMBER 14, 1932.

CRIMINAL LAW AMENDMENT BILL

Mr. Haig, Home Member introduced the Criminal Law Amendment Bill, otherwise known as the Ordinance Bill. The Bill reproduces in the form of amendments to the Acts already on the Statute Book certain provisions of the Special Powers Ordinance X of 1932 and includes: (1) Provisions against Associations Dangerous to Public Peace; (2) Provisions against certain forms of intimidation; (3) Provisions to secure greater control over the Press. It is stated under the heading of objects and reasons of the above Bill: "Conditions prevailing at present as a result of measures taken by the Government of India and the Local Governments are such as to render it unnecessary to assume for the whole of British India all the powers conferred by Special Powers Ordinace now in force and it is hoped that the powers conferred by Chapter 11 (Emergency Powers), Chapter IV (Special Courts) and Chapter V (Special Provisions against instigation to the illegal refusal of payment of certain liabilities) will only be needed in certain provinces. It is, therefore, intended by this Bill to take only those powers which a general review of the situation shows are required for the whole of India and to leave it to local Government to supplement these provisions by means of local legislation in order to meet local or emergent conditions."

TERRORIST OUTRAGES BILL

Mr. Haig introduced a Bill supplementing the Bengal Suppression of Terrorist Outrages Act, 1932, so as to provide for appeals to the High Court in certain cases and to exclude their jurisdiction in other matters.

RAILWAYS ACT AMENDING BILL

The Railways Act Amending Bill was introduced in the Assembly on September 5, 1932. Reference may be made to page 422 in this connection.

Sir C. P. Ramaswami Aiyar, Commerce Member, moving that the Bill to amend the Indian Railways Act of 1890, be taken into consideration, said that the Government had already initiated an enquiry to ascertain the steps to be taken to effect co-ordination of road development with Railways.

Mr. Maswood Ahmed moved for circulation of the measure and said that motor competition was not much responsible for the deficit in railway earnings.

Mr. B. Das suspected that the Bill was brought forward after a representation by the Associated Chambers of Commerce. Considering the financial position of Railways, the Assembly should not grant this power to the traditionally extravagant Railway Board, who would at once purchase costly machines.

Mr. Hossack, supporting the Bill, said that it was very hurriedly drafted. There were dangers ahead and the Bill required considerable enlargement and clearer definition.

Mr. S. C. Sen wanted to know the legal position of railway buses so far as liabilities were concerned, whether they would be governed by the Railway Act or by the Carriers Act.

Dr. Ziauddin pointed out that Railways were a losing concern and it was not the proper time to extend their business.

Mr. K. C. Neogy thought that the Government wanted comprehensive and unconditional powers without looking to the comforts and convenience of passengers.

The Commerce Member, replying to the debate, emphasised that the Bill would apply not to any State managed railways or big company managed railways, but only to those companies which were comparatively small in character, and found themselves hard hit by reason of competition. The Government would endeavour their best to obtain public opinion, both Indian and European.

The House agreed to circulate the Bill.

HAJ COMMITTEES BILL

Mr. Bajpai, Education Secretary, moved for consideration of the Bill to establish committees in the principal ports of pilgrim traffic to assist Muslim pilgrims to Hedjas. He answered many of the points of criticism contained in the minutes of dissent and in the interest of pilgrims urged immediate passage of the measure.

Mr. Maswood Ahmed moved for circulation, and wanted that only Muslim members should vote on this motion.

Mr. Sadiq Hassan, opposing the Bill, said that it was reactionary and tightened the hold of the Government. Besides, the Bill had been denounced by Muslims throughout the country.

Bhai Permananda agreed that the matter be left to the Muslims and advised the Hindu members to refrain from interfering. But the speaker objected to making constituencies for election to the Committees so large as to include Muslim members of the Central and Provincial Legislature.

Kunwar Ismail Ali Khan, supporting the Bill, said that it would be of little use without the other two Haj Bills.

Sir Abdur Rahim, opposing the motion for circulation, said that public opinion had been sufficiently expressed. He was convinced that for the successful working of the Committees, the Government must have some representatives since it would be providing funds for the Committees.

Further discussions were put off.

TRADE DISPUTES ACT

The House passed the Bill amending Section 13 of the Trade Disputes Act, relating to Courts of Enquiry.

SEPTEMBER 15, 1932.

ENQUIRY IN REGARD TO THE TATAS

Mr. Amarnath Dutt moved: "At the forthcoming enquiry by the Tariff Board in regard to the Tata Steel Works at Jamshedpur, investigation be conducted into what proportion the total assets of the company bear to the aggregate value of protection so far enjoyed by it by way of bounty and tariff, whether and how far the process of Indianisation is being carried on, what relations have subsisted between the firm and Labour, whether and to what extent the purchase of raw materials and machinery is being conducted on economic lines, and whether the sale policy of pig iron is conducive to the best interests of the country, etc." Mr. Dutt said that when protection was offered to the Tatas, it was realised that the protection needed was in the best interests of the country. The protection amounted to nearly five crores of rupees annually and it was fair on the part of the public to demand an enquiry to ascertain whether public had gained by the

bounty. There had been serious allegations for a long time. The salary paid to the officials of the Tatas exceeded in certain cases that of the Viceroy.

Mr. Bhupat Singh, moving an amendment, wanted to know how far the Tata Iron and Steel Works had achieved the object of the protection granted to it since 1924, and how far they had promoted subsidiary Indian industries and cottage industries. He opined that the company should, after a certain stage of spoon-feeding, make itself self-supporting.

Mr. S. C. Mitra moved an amendment for adequate representation of the Assembly and other interests such as labour and subsidiary concerns on the Committee.

Mr. N. K. Dudhoria referred to the neglect of cottage industries, and said that emissaries of the Tatas had come from Jamshedpur to influence the members to vote down their harmless proposition.

Mr. R. S. Sarma, while supporting the spirit of the motion, opposed the implications contained in it. He quoted the Tariff Board Report, which said that the relations between Labour and the Company compared favourably with other industries.

Mr. Anklesaria, opposing the motion, declared that it was impossible for the Government to interfere unless the Companies Act was amended relieving the directors of their responsibility.

Mr. B. Das, supporting the resolution, refused to subscribe to Government control of an Indian industry, but found fault with the scheme of protection given, in so far as it was proving a perpetual burden on the consumers. He supported the amendments of Messrs. Mitra and Bhupat Singh.

Mr. H. P. Mody in opposing the resolution said that the Tariff Board was the proper body to review all matters and the Board's report showed that they had made a full investigation which took note even of the widest allegations. He contended that the attack made on the Tatas was unfair, as the salaries to the covenanted staff had been reduced in the past six years from Rs. 34 lakhs to Rs. 18 lakhs, while in the same period the number of European and American officials had been reduced from 223 to 78. The Tatas had spent about a crore and seventy lakhs on labour welfare schemes, which were costing Rs. 11 lakhs yearly for maintenance.

Mr. Morgan said that there were certain parts of Mr. Dutt's resolution to which the House could not agree, while others did not concern the legislature and the rest would go before the Tariff Board. He was opposed to any independent body being appointed to make an enquiry. He thought that the resolution should be withdrawn after an assurance from the Commerce Member that an enquiry would be held by the Tariff Board. He asserted that the help given by the Government and by the tax-payers and consumers amounted to twice the original capital of the company. This should be ascertained specifically by the Tariff Board. If this was proved to be the case, then the Government had every right to have control over the concern.

Sir C. P. Ramaswami Aiyar, emphasised that the proper enquiry required by the statute was to see to what extent the steel industry could compete with foreign countries and to what extent the country should support the industry for that purpose and also to see that it was run on the most efficient lines. For such an enquiry, there must be a body which would include experts, who would be entitled to go into the commercial and other aspects of the industry. The facts, findings and judgment of that expert body would be sifted and examined by this House, which was the ultimate judge as to the method and amount of protection required in the circumstances. It was therefore not right that the members of the Assembly should sit on the Enquiry Committee. Sir C. P. R. Aiyar informed the House

that all the points raised during the debate would be kept in view by the Tariff Board, but he pointed out that there were limits to these points.

All the amendments were put to vote but all of them were rejected.

MOTION LOST

The resolution of Mr. Amarnath Dutt was then put and lost without a division.

PURCHASE OF COAL FOR STATE RAILWAYS

Mr. Ghuznavi moved: "A permanent Board be constituted, under the Railway Board, with the Chief Commissioner for Railways or a member of the Board as Chairman, and the Chief Inspector of Mines, the Loco Superintendent of each State Railway in rotation and a gentleman with experience of commercial side of colliery work, but not actually in the coal trade, as members of the Board, for the purpose of making all purchases of coal which are now being done by the Railway Board, and for looking after the State Railway collieries and running them on commercial lines." He said that the administration of Railway collieries was involving the State in a loss of Rs. 50 lakhs a year; firstly because they bought coal sold at higher rates in preference to coal offered at lower rates, and secondly, because of extravagant working of collieries. Their cost of raising was two rupees higher than the price at which they could purchase coal in the market. He attributed undue favouritism as the cause of this loss to the public revenues. The speaker argued that the alleged malpractices could only be stopped if tenders were received direct by the Railway Board, tabulated in their office and opened publicly. With each tender must be submitted a ten per cent security and informed the House that Mr. Whitworth, in charge of the administration of the Railway collieries, received about Rs. 40,000 last year, over and above his monthly salary of Rs. 3,500, by way of commission for purchasing coal for non-State Railways. He held that Rs. 16 lakhs could be saved on the purchase side and Rs. 16 lakhs on raising contracts. Rs. 16 lakhs were accounted for by top-heavy administration, and by the fact that the Government in showing the raising cost, did not show interest on capital, nor the depreciation nor the royalty on weigh bridge. Thus the public Exchequer had lost Rs. 9 crores during the regime of Mr. Whitworth.

Mr. S. C. Sen, repudiating Mr. Ghuznavi's allegations, referred to Sir George Rainy's speech in the Assembly to the effect that purchases of coal were made after a careful scrutiny by two members of the Railway Board and finally by the Commerce Member as to the quality and quantity. According to the usual practice, tenders were first examined in the office of the Chief Mining Engineer, who, in turn, forwarded them to the Railway Board. The speaker, did not think the suggestion of Mr. Ghuznavi to appoint a Coal Board, which would consist of only one member of the Railway Board, was in any way better than the present practice.

Further debate was adjourned.

RELEASE OF GANDHIJI ON DAY OF FAST

Mr. Haig, the Home Member, made a statement announcing the release of Mahatma Gandhi as soon as he began his fast, under certain restrictions. Full details appear under "Poona Pact."

SEPTEMBER 16, 1932.

CONFIDENCE MOTION ON THE PRESIDENT

A motion of complete confidence in the President Sir Ibrahim Rahimtoola, was carried. Sir C. P. Ramaswami Aiyar moved: "That in view of

the attack made recently on him in the Press, this Assembly do place on record its complete confidence in the Hon. the President."

The motion was put and carried, there being no dissentient voice.

HAJ COMMITTEE'S BILL PASSED

Discussions were resumed on the Bill to establish Committees in the principal ports of pilgrim traffic to assist Muslim pilgrims to the Hedjaz.

Sir Abdur Rahim said that the Jamiat-ul-Ulema had been misled by certain propagandists. The Haj was purely a religious ritual. Every provision of the Bill was directed to assisting the pilgrims. The Government would come in simply to assist the representatives of the Muslim public. The measure stood on the same footing, as, for instance, the regulations made for arrangements on the occasion of pilgrimage within the borders of India. He asked the House not to delay the passing of a beneficial measure, and asked Mr. Maswood Ahmed to withdraw his amendments.

Sir Mahomed Yakub, opposing the amendment, said that Moslems had been clamouring for a long time for the establishment of committees like these. There was no use postponing the Bill by recirculation, as Moslem religious bodies had already expressed their opinions.

Chaudhuri Zafarullah Khan, made it abundantly clear that the Bill was not a religious measure. It did not impose any restrictions on pilgrims, but intended to render the pilgrims' journey overland and stay in the Hedjaz less irksome. He explained that those who would not desire to avail themselves of the Act need not do so. The Bill should be judged on its merits. Referring to the Ulemas' representation on the Committees, he explained that the Bill did not restrict the choice of members to a particular category and it was possible to co-opt more members to give effect to their desire. Continuing, Chaudhuri Zafarullah said that it was the Government's first attempt to set up such committees and it would be difficult to run them without including members with administrative experience, who would be there to help and assist and not influence decisions.

Mr. Shafee Daudi, opposing the circulation motion, said that they should insist on men being included who were likely to serve the best interests of the country.

Syed Murtaza Sahib said that the Jamiat-ul-Ulema had been hasty in concluding that the Government was interfering with religion.

Dr. Ziauddin wanted medical officers on the Committees and welcomed the official element in this case.

Mr. Bajpai formally opposed the circulation question on behalf of the Government. The amendment was put to vote, and was lost.

Mr. Maswood Ahmed proposed an amendment that all officers and servants of Port Haj Committees be Muslims only. Two others supported.

During the third reading Mr. Azharali supported to the Bill as being consistent with democratic principles. Mr. Anwarul Azim and Mr. Jadhav also supported it.

Mr. Maswood Ahmed, who had proposed a large number of amendments, preferred to remain neutral as the Bill in his opinion was useless for Muslims.

The Bill was finally passed without opposition.

WORKMEN'S COMPENSATION BILL

Sir Frank Noyce moved that the Bill further to amend the Workmen's Compensation Act of 1923, be referred to a Select Committee.

Mr. F. E. James thought that a measure like the one before the House should be introduced after the establishment of a Federal Government, be-

cause it applied equally to British India and Indian States. However, he did not like to oppose reference to a select committee.

Further debate was adjourned.

SEPTEMBER 19, 1932.

CRIMINAL PROCEDURE CODE BILL CONTINUED

Mr. Haig, moving for consideration of the Bill to amend the Criminal Procedure Code as reported by the Select Committee, explained the two lines of thought that were proposed before the Committee, and emphasised that under the revised Bill, it would not be necessary for a transfer application to be made only before the trial began in order to secure compulsory adjournment. Secondly, this system of compulsory adjournment should take place at any time before the defence closed its case, but when once a party had secured an adjournment, the court would not be bound to adjourn on any subsequent intimation of an intention to apply for transfer made by the same party. Where there were more than one accused, it would not be possible for the different accused by a series of successive intimations to secure a series of adjournments. This provision was necessary in order to prevent *mala fide* applications for adjournment in order to tamper with prosecution witnesses. Any party intending to make applications would be required to execute a bond not exceeding Rs. 200, to ensure that he would make such an application within a reasonable time. This was another safeguard against frivolous and vexatious applications. The Home Member claimed that the Bill, as amended, gave reasonable protection, and prevented the worst abuses of the present system.

THE DEBATE

Mr. Lalchand Navalrai regarded the changes made in the Bill, as taking away with one hand what was offered with the other.

Mr. Yamin Khan said that the Bill was sent to the Select Committee, with a view to protecting the accused, as well as removing the abuses in the present law. This object being achieved, he failed to understand any argument against the Bill.

Mr. Ramakrishna Reddi thought that the Bill, as it emerged from the Select Committee, was much more reactionary than the original one. He submitted that the security demanded for transfer was too high.

Mr. Hari Rao Naidu said that the adjournment privilege had been certainly abused and expressed the opinion that the maximum amount for compensation fixed by the Select Committee was very moderate and should not be reduced.

Sardar Sant Singh said that in frivolous cases of transfer, compensation should be given to the complainant and not to the Crown. Referring to cases having different sets of accused with conflicting interests, he said that the provision acted harshly on the party which had not taken advantage of the first adjournment and later found the Magistrate biassed in favour of one set of accused.

Sir B. L. Mitter, replying, said that the prosecution was always by the Crown and so the bond should be in favour of the Crown as it would prove a deterrent against frivolous transfers. Referring to cases having several sets of accused with conflicting interests, he said that there was no ground for transfer unless the Magistrate was involved and it was in the highest degree unlikely that the Magistrate would favour one party against another. Referring to the allegation about insufficient time being given by the Magistrate where two courts were to be moved, Sir B. L. Mitter said that when an application once went to the High Court it had the power to extend

the period. No statutory limit had been fixed, precisely for the reason that the period fixed might prove to be insufficient. Alluding to Mr. Navalrai's charge that the Bill had been brought forward to facilitate the trial of political cases, Sir B. L. Mitter said that it was grossly unfair to say so.

The House next proceeded to discuss the various amendments moved by Messrs. Lalchand Navalrai, Ramkrishna Reddi, B. L. Patil and S. G. Jog for lowering the limit of compensation. These were rejected without a discussion.

The House adjourned without concluding the disposal of the amendments.

SEPTEMBER 20, 1932.

CHILD MARRIAGE AMENDMENT BILL REJECTED

Raja Bahadur Krishnamacharya resumed his reply to the debate on his motion to take into consideration his bill to amend the Sarda Child Marriage Restraint Act.

The Bill was thrown out by 53 to 21.

INCOME-TAX AMENDING BILL

Sir Hari Singh Gour, moving that the Amending Bill to the Indian Income-tax Act 1922 be referred to a select committee, said that the intention of the Bill was merely to remove the most glaring defects in assessment and to bring assessors under some popular and judicial control. He hoped that the Bill would receive general support, and in some measure, ameliorate the harshness and rigour of a taxing measure, whose unpopularity had been increased by the mode and manner of its administration.

Raja Bahadur Krishnamachari, supporting the Bill asked the Government, while collecting the tax, which they did mercilessly, to adopt methods which did not annoy people.

Mr. B. Das said that, if the Bill was changed drastically in the select committee, then it could be circulated, but, at this stage, the Bill, as drafted, met with the wishes of a great mass of the people, as well as the mercantile community.

Mr. S. C. Sen agreed with Sir H. S. Gour, that there were vagaries and *zulum* in assessment everywhere, which required an immediate remedy. He did not understand the move for circulation.

Mr. Azhar Ali supported the Bill.

Sir Alan Parsons said that there was nothing in the present position which justified a radical amendment of the law. The assessment and collection of income-tax was on the whole very honestly and fairly done. The mover of the Bill had made no attempt, by giving any sort of figures to make out a case for drastic alteration. There was no mention in the Bill as to who was to appoint the assessors and who was to decide whether there should be more than three or five assessors or points of that description. A provision of that kind would do away once for all with all secrecy in the administration of income-tax law, and it was for that reason that it had been opposed on so many occasions. Continuing, the Finance Member regarded that a reference to the High Court was made on points of law, and not on the question of the amount of assessment. If the Bill was accepted, there would be a large number of cases going to the High Court. With regard to the suggestion, that assessors and Commissioners would not be under the control of the Central Board of Revenue, but would be a law unto themselves, Sir Alan Parsons contended that there would be no uniformity in the administration of income-tax law. Again, such a course

would lead to delay in assessment and harassment to assessees, because they would not have the free access they now had to the Income-Tax Officer or the Assistant Commissioner. Further, delay would involve a great fall in the income-tax revenue, which was one of the primary sources of income at present.

Mr. B. R. Puri said that the High Courts, rather than Income-tax Commissioners, should dispose of income-tax appeals.

Sir Hari Singh Gour, replying to the debate, said that the present law was creating discontent. At present, the income-tax official was the assessor as well as the judge. Referring to the present practice in England, Sir Hari Singh Gour quoted from the recent book by an Income-tax expert, that income-tax appeals were heard by independent bodies of Special Commissioners. He concluded by saying that the present procedure required a radical change, and referred to the opinion of judges frequently calling for a change in the law

MOTION FOR CIRCULATION PASSED

The motion for circulation was passed without a division.

SEPTEMBER 21, 1932.

CRIMINAL PROCEDURE CODE BILL PASSED

Mr. Haig, resuming the debate on second reading on the Criminal Procedure Code Bill, said that the proposed arrangements were valuable and solely needed improvement in criminal procedure.

THIRD READING OF THE BILL

Mr. Navalrai said a very hard procedure had been laid down for accused. By passing the measure, the House would embolden Government to bring more stringent legislation.

Mr. F. E James hoped the bill would be a beginning of a long process of further reforms, not only in criminal but also in civil procedure.

Mr. Lahiri Chaudhri opposed, but Dr. DeSouza, welcoming the legislation, said that the right of transfer, put into the hands of accused and counsel, was a weapon tending to undermine the independence of a Magistrate.

Dr. Hari Singh Gour said it was in the interest of justice that an accused be not armed with power to ask frequent adjournments merely to delay justice, thus defeating its own purpose. He added the Select Committee had necessarily to put a limit as the House had accepted the principle that frivolous and vexatious transfers be discouraged

Mr. B. R. Puri asked the House to imagine the mischief that would accrue if every accused were given the right of adjournment.

A number of amendments were brought forward and rejected

BILL PASSED

The Bill was passed without a division.

CRIMINAL LAW AMENDMENT BILL

Mr. Haig, Home Member, moved reference of the Bill to supplement the criminal law (better known as the Ordinances Bill) to a Select Committee consisting of Mr. Yamin Khan Mr. S. C. Sen, Babu Gaya Prasad, Mr S. C. Jog, Mr. B. R. Puri, Mr. S. C. Mitra, Mr. Azharali, Mr. B. V. Jadhav, Sir Leslie Hudson, Sir Muhammad Yakub, Mr. N. N. Anklesaria, Mr. Choudhry, Mr. Lalchand, Mr. Gwynne and the mover for report by 7th November. Giving a short account of the renewal of civil disobedience movement and the weapons with which the Government fought the com-

paign, Mr. Haig stated that the best method of ensuring a speedy end of the movement was to make it clear that the powers with which the movement was being fought would be continued. Mr. Haig made it clear that it was not Government's intention to crush the spirit of nationalism. On the contrary they were endeavouring, in spite of attacks on the one side or other, to enable that spirit to find practical expression in framing a new constitution.

Referring to the provisions of the Bill, the Home Member pointed out that sections three and four had been omitted, for though they did not consider those powers would be no longer required for the whole of India, there were certain local Governments in whose areas the civil disobedience movement was still particularly active but would probably find it necessary to ask their respective legislatures for necessary powers. Then chapters two, four and five had been omitted because they related to local conditions. The provisions included in the Bill were, broadly speaking, in three categories, namely, provisions against certain forms of intimidation like picketting, secondly, additional provisions against unlawful associations and lastly, provisions for greater control of the press.

The Home Member continued: "It is not sufficient that powers should be in existence merely until the civil disobedience movement ceases, but that they should be available without the odium that naturally attaches to issue of an ordinance, in case that movement or a similar movement is revived. When the civil disobedience movement ceases, the ideas may be dormant but they will not be dead. We are disposed to think that these powers should be secured not only for the existing official Government during a comparatively brief period before it but that the new Government should at any rate start in possession of these powers. It will be open to them to discard them or leave them unused. We are engaged in a very delicate and difficult operation of handing over power in this vast country from one set of hands to another. I am not aware that as a deliberate policy an attempt on such a scale has ever been made before in the history of the world." Concluding Mr. Haig said, "We have now in India triple threat to peaceful progress—civil disobedience, communism and terrorism—and though the main provisions of the Bill will be directed against the first of these, the House will not forget that provisions relating to the press will exercise a strong controlling influence over the movement of communism and terrorism."

Further debate on the subject was put off.

SEPTEMBER 22, 1932.

RAILWAY COLLIERIES & PURCHASE OF COAL

Discussion was resumed on Mr. Ghuznavi's resolution for a Board for the management of railway collieries and the purchase of coal.

Mr. S. C. Mitra moved an amendment that a committee, with a non-official majority, be appointed for devising suitable ways for the better working and management of the State Railway collieries, with a view to running them on commercial lines without prejudice to the present Government policy of coal purchase from the open market. Considering the amount of agitation on the subject, Mr. Mitra thought that an immediate investigation was necessary.

Mr. B. Das supported Mr. Mitra.

Dr. Ziauddin Ahmed suggested the transfer of collieries to the charge of the Industries Member and supported the suggestion for an enquiry into the matter.

Mr. P. R. Rau, Financial Commissioner of Railways, replying to the debate, expressed his disappointment at the fact that Mr. Ghuznavi had not substantiated any of his allegations, except that he had referred to some anonymous letters, whose authors, Mr. Ghuznavi would not mention. Mr. Ghuznavi had been entirely misled by his informer. Mr. Ghuznavi had said that Mr. Whitworth received Rs. 40,000 a year as commission for the purchase of coal, while the fact was that this money was credited to the railway fund. His other facts must also be similarly wrong. The speaker repudiated the charges of corruption and favouritism. Mr. Rau contested Mr. Ghuznavi's view that contracts could be arranged cheap enough to save lakhs of rupees. He assured the House that if it suited the coal trade, the opening of tenders could be transferred to the Railway Board. As regards security deposits, they could not penalise the poorer class and favour the richer class. Mr. S. C. Mitra's enquiry committee would not be necessary, for, the Public Accounts Committee could look into this matter thoroughly. He asserted that the Chief Engineer of the Mines would continue to be the Railway Board's expert adviser and the Railway Board had been and would remain the final arbiter. Mr. Rau told Dr. Ziauddin that the Government's policy was to use railway collieries to the minimum extent and, not on strict commercial lines, as the latter would prove harmful to private collieries.

Mr. Morgan, speaking as a representative of the Indian Mining Association, wanted the continuance of the present arrangements. As for the amendment, he considered it absolutely unnecessary, and, if any specific enquiry were to be made, he would accept the suggestion made by the Financial Commissioner, viz., that the Public Accounts Committee should be instructed to go into the question immediately. He blamed the Government for the delay in presenting their profit and loss accounts, which he maintained, from the commercial point of view, should not take more than a year.

Mr. Joshi urged that key industries, like coal and railways, should be nationalised. He held that the legislature was entirely within its rights in discussing the conduct of individual Government servants.

WITHDRAWAL OF THE RESOLUTION

Mr. Ghuznavi withdrew his resolution in view of the Government's assurance.

FLOGGING AS PUNISHMENT IN ABDUCTION CASES

Pandit Sen moved that the Criminal Law be revised to include flogging in the punishments prescribed for abduction and similar crimes against women and forfeiture of property in cases of repetition of the crime by old offenders.

Mr. Gwyne, opposing the motion on behalf of the Government said that the mover misunderstood the principle of the law in such cases. Rape was already punishable with whipping, but whipping was applied only to juvenile offenders. On the whole, there had been little increase in the crime, and the existing law being adequate, the Government were not agreeable to enhancing the punishment.

Mr. Yamin Khan was not opposed to whipping in cases of heinous offences on girls of tender age, but beyond that, it should not be applied to general cases of abduction.

Mr. Jog, supporting the resolution, explained that the resolution, never meant that punishment of flogging should be inflicted in every case. It was merely a precautionary and protective measure to act as a deterrent in the interests of society and civilisation.

The resolution was rejected.

SEPTEMBER 23, 1932.

INCOME-TAX ACT AMENDING BILL

Sir Alan Parsons moved for leave to introduce a Bill to amend the Income-tax Act, 1922 (Second Amendment).

Sir Hari Singh Gour opposed the motion for introduction, although this course was held by Mr. S. C. Mitra to be against the convention. He preferred a wholesale revision of the income-tax law, instead of this piecemeal legislation.

Sir A. Parsons said that the House had the option of getting the Bill circulated for eliciting public opinion, instead of opposing the Bill in the first stage.

The Bill was then introduced, Sir Hari Singh Gour's being the only dissentient voice.

WORKMEN'S COMPENSATION BILL CONTINUED

Resuming discussions on Sir Frank Noyce's Bill to amend the Workmen's Compensation Act, Mr. Abdul Matin Choudhury and Mr. B. Das spoke regarding the amount of compensation.

Mr. Thampan suggested that all work-farms keeping engines be brought under the scope of the Bill.

Mr. Mitra supported the measure, but opined that the scope of the Bill was unnecessarily restricted, while the proposed scale of compensation did not do justice to labourers.

Mr. Mody specially objected to the higher scale of compensation laid down. He said that the new scales provided 30 per cent increase when the cost of living had decreased by 30 per cent.

Mr. Joshi protested against delay of the passage of the Bill, and replied to Mr. Mody that the lower cost of living had already affected wages. Mr. Joshi added that the incidence of compensation per labourer was negligible.

Sir Frank Noyce, replying to the debate, said that an opportunity would be given in the Select Committee for expression of different points of view and that the Government attitude would be open to reconsideration.

MOTION FOR SELECT COMMITTEE PASSED

The motion for select committee was passed.

ASSAM ESTATE LABOURERS BILL PASSED

The Bill to amend the law relating to emigrant labourers in the tea districts of Assam, as amended by the select committee, was discussed.

Sir Frank Noyce referred to the nature of the amendments made by the select committee, and added that it was the Government's intention to bring into operation the Bill, if it was passed in this session, from April next.

Dr. Ziauddin, while not denying comforts to labourers, pleaded for a limit so as not to increase the cost of production.

Mr. Gayaprasad Singh attacked the "capitalist attitude" of Dr. Ziauddin, and said that the Bill was a piece of salutary legislation.

Mr. Dalal, supporting the Bill, said that the principles of the measure ought to meet with the frank and cordial acceptance of the tea planters. He added that if Labour were convinced of better prospects, there was no reason why it should not flow to Assam. In his opinion the Bill was of indisputable advantage to the labourers as well as the planters.

Mr. Milligan said that there was no provision that Government control would automatically end. He referred to the absence of unemployment in Assam, and urged a review of the legislation after five years.

Mr. Joshi said that the Bill was mainly in the interests of the employers, but he supported it.

Sir Frank Noyce said that the Bill was a compromise between the employers and the labour view. He could not promise its review after five years, but had no doubt that the future Government would keep a keen eye on its working.

BILL PASSED

Two formal amendments moved by Sir Lancelot Graham were adopted, and the Bill was passed.

NARCOTIC DRUGS CONVENTION PASSED

Sir Alan Parson's resolution urging ratification of the Convention for limiting the manufacture and regulating the distribution of narcotic drugs, was passed.

SEPTEMBER 26, 1932.

CRIMINAL LAW AMENDMENT BILL CONTINUED

The motion for the reference of the Criminal Law Amendment Bill to the Select Committee was discussed.

MOTION FOR CIRCULATION

Mr. Anklesaria moved for circulation of the above Bill. He said that the promulgation of the Ordinances created a deep feeling of discontent among the politically-minded people. As the Executive was usurping the function of the Legislature, it was necessary to ascertain public opinion. As for the merit of the measure, he said that it was time that the Legislature properly functioned and helped the Government to enact the measure to control demoralised agitation. In other countries, similar agitations had been met by far more summary procedure than those embodied in this Bill.

THE DEBATE

Mr. Reddi was entirely opposed to the Bill, but, in order to mobilise the public opinion behind it, he wanted circulation of the same. He quoted His Excellency the Viceroy's speech in the Assembly, to prove that Civil Disobedience did not exist, while the enacting of the Bill would give impetus to a dying movement. It was not repressive policy but mutual confidence that was necessary to take them to the end of their journey. He added that the present Assembly, with a nominal non-official element, was not justified in putting so many restrictions on the freedom of individuals. If the Bill were passed, the Government could be aptly termed despotic. The Government had to see that the Congress did not go beyond its legitimate bounds. But this measure would strike at the very existence of the Congress. According to Mr. Reddi, Self-Government would remove the root cause of Civil Disobedience.

Mr. Sadiq Hassan, differed fundamentally from Government, in the way it had tackled the problem of Civil Disobedience. He said that the proposed legislation was worse and blacker than the Rowlatt Act and was a serious encroachment on the liberty of the people. Instead of crushing Civil disobedience, it would increase terrorism and give an impetus to communism. In his opinion, peace could be maintained only by adopting a conciliatory rather than repressive attitude, and providing work for the unemployed and by reducing taxes. Referring to the press provisions, Mr. Sadiq Hassain said that the Bill would strangle the Press, and asked if it was wise at this juncture to increase the discontent. If the Bill was really in the interests of the country, the Home Member should not be afraid of its being circulated.

Mr. B. R. Puri said that he was opposed to the Bill root and branch. He felt that the Home Member's speech failed to tell them what had brought

about Civil Disobedience and the circumstances which had forced the people to take to the only weapon which was the weapon of the weak. He asked whether the Home Member would have preferred the people to have taken to violence. The speaker continued: "A British statesman has said 'Either govern or get out.' I say, 'get out' if these are the laws by which alone you can govern." He complained that the Government had been playing a game of hide and seek. "When the legislature is out, the Ordinances are in, and when we are in, the Ordinances are out." He quoted Lord Irwin's speech in January 1931, to show that the legislature must be taken into confidence, the moment it met. Here was a case of an Ordinance being promulgated just before the session met, and renewed just after it rose.

The debate was adjourned.

CHITTAGONG OUTRAGE CONDEMNED

Sir C. P. Ramaswami Aiyar moved: "This House desires to place on record its feelings of horror and its strong condemnation of the terrorist outrage perpetrated on the night of the 24th September at Pahartali, and requests the President to convey its deep sympathy with the families of the victims and the wounded persons." The speaker was sure that the incident would shock the whole of thinking India and denounced the crime and the motive of the crime in no uncertain voice.

Sir Hari Singh Gour added that such acts were certainly bound to retard the growth of responsible government in this country.

Sir Abdur Rahim associated his party with the motion, and held that such outrages were a crime whatever might be the motive behind them.

Mr. Morgan, Leader of the European Group, said that the crime was such as would unbalance even the most sane mind. He hoped the House would endorse unanimously the resolution. If the Government of India required any support of any kind, however drastic, to deal with such a crime they would give it full support.

Mr. Ghuznavi hoped that they should not merely condemn the crime but also the speeches and writings of those who extolled murderers as martyrs and patriots.

The motion was put and carried unanimously.

SEPTEMBER 27, 1932.

CRIMINAL LAW AMENDMENT BILL CONTINUED

The Legislative Assembly continued the discussion on the Criminal Law Amendment Bill.

DISCUSSIONS PROCEED

Mr. B. R. Puri, resuming his speech, discussed at length the proposed provision in the Bill in respect of public servants, and observed that the provision was too wide and was likely to be abused and misused by the lower ranks of the police, in whose hands the power was being put. He showed that the permanent law of the land, as given in the Penal Code, declared that if any person voluntarily obstructed a public servant in the discharge of his public service, he would be punished with three months' imprisonment. On the other hand, this Bill provided that the offering of a mere inducement to a public servant to disregard his duty, was punishable with one year's imprisonment. Such a drastic power was not considered necessary even during the conditions of the Great War. The speaker held that the offence of inducement in the case of bribery was the proper test to apply to the Bill. What was worse was that these widest powers were to be handled by the Magistracy, from whom they could never expect justice. Continuing, Mr. Puri raised an important constitutional issue, and said that

the Government of India Act had given power to the Indian Legislature to legislate. That power could not be delegated to any agency to supplement its power, as was given exclusively to the legislature. The Bill, as well as the Ordinance, which it would replace, gave to the Governor-General-in-Council power to declare an association unlawful. Mr. Puri contended that this delegation of power was *ultra vires* and repungnant to the provisions of the Government of India Act. He declared that the Criminal Law Amendment Act, defining what constituted an unlawful association, acknowledged the fact that the legislature must lay down specifically these definitions. Mr. Puri finally contended that the Executive were trying to usurp the functions of the legislature, and the Bill must be thrown out.

Mian Shah Nawaz observed that the Government could not ask them to pass laws which would really create a desert in the name of peace. Continuing, Mian Shah Nawaz said: "These Ordinances are fleeting, ephemeral things as compared to the power. We want to mend or end these laws. The Government are entitled to maintain law and order, until the new constitution can safely function. I do not agree that the Bill should be placed permanently on the statute-book. We cannot give you powers to usurp securities, monies and other things by an executive order. If the Bill is committed to a select committee, I shall be entitled to throw it out, if it does not emerge out of it in a satisfactory form." Finally Mian Shah Nawaz asked the Home Member to give an instance of a country where such stringent legislation existed. In his opinion, the ordinary law was sufficient to meet the abnormal situation.

Mr. Raghbir Singh said that his party generally favoured reference of the measure to a select committee. He, however, advised the Government to use more of the Penal Code and the Code of Criminal Procedure, and to withdraw the Ordinances.

Sir Mahomed Yakub complained that the Assembly was not consulted at the issue and reissue of the Ordinances, but he hoped that the members would realise the responsibility placed on their shoulders. He read extracts from pamphlets to indicate the method of coercion adopted by Congressmen, and also referred to "Congress speakers and the Press extolling murders." The Government could not allow such a movement to remain uncontrolled, and the Press to have "unbridled licence and to foster revolution." He urged the House to accept the principle of the Bill (applause). Sir M. Yakub, continuing, observed that the House would commit a great tactical blunder in rejecting the Bill and letting it to be certified and enacted in its present drastic and permanent form. It was much better to alter it in the select committee.

Captain Lalchand appealed to the members to show courage and put an end to Ordinance rule and substitute for it the rule of the Legislature. There were some clauses which could be amended in the select committee because they went to an absurd length.

Mr. Harbilas Sarda said that everybody was agreed that the criminal law was not only sufficient, but, in some cases, excessive. Civil Disobedience was a temporary movement and there was nothing to show that it would last for ever. In order to deal with this malady, such a big legislation was unnecessary. He had no hesitation in concluding that it was designed completely to control the whole of public activity and asked the House to throw out the Bill as a whole.

Mr. Dumasia requested the Government to limit the period of the operation of the law, as otherwise it would be a constant source of irritation, agitation and discontent throughout the country.

The debate is then adjourned.

SEPTEMBER 28, 1932.

CRIMINAL LAW AMENDMENT BILL CONTINUED

The debate on the Criminal Law Amendment Bill was continued.

MORE OPPOSITION TO THE BILL

Sir Hari Singh Gour, leader of the Opposition, opening the debate on the Bill, contended that the Bill offended against fundamental laws and was repugnant to the provisions of the Government of India Act. It was an attempt to over-legislate. He took four-fold legal objections. First, the Penal Code was punitive and not preventive legislation, while this Bill was preventive. Thus the Bill was creating new offences and was against the principles of criminal jurisprudence. Secondly, it was prescribing a new criminal procedure for the land by making offences cognizable and non-bailable and arming Third Class Magistrates with powers which the ordinary law did not deem them fit to discharge. Thirdly, it was providing for the forfeiture of property, which provision the Assembly had at the earliest opportunity thrown out of the Statute-Book as being repugnant to the modern conscience. Fourthly, the Bill asked the House to stultify itself by reinserting the very provisions of the Press Law which it threw out while passing the Emergency Press Act a year ago. He therefore urged the Government to withdraw the present Bill and redraft it and bring the matter up in the November session.

Mr. H. P. Mody said that the Bill was thoroughly unsound in principle. He admitted that the special situation required special measures. But, he asked, if the Government had so far carried on with Ordinances, why should it not continue to do so. Mr. Mody further held that the real remedy was to conciliate the desire for the full measure of self-government of the responsible section of public opinion. On that line alone lay the safety of the Government of India and the happiness and prosperity of the people and Government of Great Britain.

LAW MEMBER'S REPLY

Sir B. L. Mitter, Law Member, said that there was a large measure of agreement rather than disagreement on the fundamental issue. All speakers had agreed that the evil existed and should be met. All had agreed that civil disobedience was an evil which had got to be suppressed.

Sir Abdur Rahim: What is the principle involved in the Bill ?

The Law Member: The principle we shall be committed to is the necessity of combating the existing manifestation of civil disobedience movement. The Opposition has made three points: first, duration of the measure; secondly, definition offences which are held by them as very wide; thirdly, nature of the quantum of punishment in which I include procedure. These are all details which can be discussed and I have no doubt will be settled in the Select Committee. Continuing, Sir B. L. Mitter admitted that the law was liable to abuse, but the real point was the pressing necessity for it and they were anxious on the Government side to meet that necessity in the least objectionable way. The Law Member pointed that there was no deviation from the fundamental principles of law. As regards the liability of the parent for offences committed by children, a similar law existed in England and other places. The provision against boycott of Government servants was not to create a statutory affection for the Police but to prevent harrassment and coercion. He admitted that the picketting section had a wide range but it could best be discussed in the Select Committee. Referring to Mr. Puri's contention that the delegation of power to the Governor-in-Council was ultra vires the law Member declared that since 1908 Local Governments had possessed the power to declare associations unlawful and

the Bill proposed merely to extend to the Governor-General-in-Council powers authorised by the Act. In the case of the Governor-in-Council, they were not giving power of legislation, but delegation of powers of application in a particular area.

Sir B. L. Mitter, continuing, said that the forfeiture of property clause had been criticised on the assumption that forfeiture of the private property of an individual was proposed, whereas the property that came under the Bill was the property of an unlawful Association used in the furtherance of its objects. Referring to Mr. Puri's contention that the Bill transgressed the provisions of the Government of India Act, the Law Member observed that he failed to see which part of the Bill was repugnant to any Parliamentary Act. Sir B. L. Mitter concluded that it was not the Government's intention to curtail individual freedom, but adjust it to the needs of society.

EUROPEAN SUPPORT FOR THE BILL

Mr. F. E. James (Madras) supported the Bill, and urged its reference to a select committee. He supported the provision for the protection of Government servants from intimidation and social boycott and quoted the Congress Working Committee's resolution condemning such boycott and intimidation as opposed to non-violence. The whole Bill was necessary, Mr. James observed, because Mr. Gandhi himself had recently admitted that Civil Disobedience was an article of faith, and he would not give it up. He understood that the Government were prepared to withdraw the Bill if Civil Disobedience was definitely given up. Proceeding, Mr. James said that the European group was prepared to limit the life of the Bill to a period, sufficient to cover the present transition period, provided the Opposition in the Assembly sent the Bill to a select committee. Referring to the provisions for greater control of the Press, Mr. James regarded them as of a negative value. He realised that the Government's intentions and actions had been grossly misrepresented in a section of the Press in India, but he accused the Government of not doing their duty of correcting these misrepresentations. Mr. James deplored the present publicity arrangement with the Government of India and remarked that the Government suffered from lack of co-operation with the responsible members of the Press in India.

The debate was then adjourned.

SEPTEMBER 29, 1932.

CRIMINAL LAW AMENDMENT BILL CONTINUED

Discussions on the Criminal Law Amendment Bill were resumed.

FURTHER DISCUSSIONS ON THE BILL

Mr. K. C. Neogy described Mr. Winston Churchhill as one of the great conspirators behind the Ordinances.

Mr. James asked if Mr. Neogy could assure the House that should any of the Ordinances be withdrawn, the terrorist movement in Bengal would cease.

Mr. Neogy confessed that he could not speak for terrorists, but if the Ordinances were withdrawn and Indians were given control of the administration, there would be a weakening of the terrorist movement. The Congress would certainly help in any measures which the Government might be urging to deal with the terrorist movement.

Mr. Yamin Khan spoke strongly favouring the motion for a select committee, dismissing the circulation motion as a cover for opposition to the Bill.

Sir C. P. Ramaswami Aiyar agreed with Mr. James that there was a difference between Passive Resistance and Civil Disobedience. The forms

which Civil Disobedience had assumed recently, like, tampering with public servants, boycott of Government servants and utilization of immature boys for political propaganda, required checking in the interests of the ordered progress of the country. If in the opinion of the House, the Bill required to be limited in duration, then he assured the House that the Home Member, with his spirit of political accommodation, would agree to any considered proposition. If the House was satisfied that the evil was there, then it should take the responsibility of checking it. Proceeding on the subject, Sir C. P. Ramaswami Aiyar said, "You may crush individuals who may compose a political body, but you cannot crush ideas. If the Congress stands for a righteous and fruitful ideal, it will not die, but if the Congress stands for an ideal which has deleterious effects, then to that extent the Congress will be crushed."

Sir Abdur Rahim welcomed this belated decision of the Government to approach the Legislature. Here was a Bill which offended against criminal jurisprudence and took away the cherished rights of citizens. The Bill was aimed at the Civil Disobedience movement. The Government could not fight the movement that way. Congressmen were already out to fill the jails. They would welcome this Bill, while non-Congressmen would be driven to joint the Congress by these stringent laws. He contested the view of the Law Member, that the principle of the Bill was to fight certain manifestations of Civil Disobedience. It was directed against the movement itself, while what the Government could ask them to consider was merely for power to suppress certain acts and not the movement. As regards certain acts, the ordinary law gave the Government enough power to deal with criminal conspiracies, sedition and unlawful assemblies. There was Section 144. Had not the 1922 movement been fought without these special powers, and with the aid of the ordinary law ? He blamed the Government for trying to set up executive authority in the place of ordinary courts. He emphasised that there was no appeal to the law against the forfeiture of the property of an unlawful Association, and the Bill gave powers and privileges to public servants, which were denied to other law-abiding citizens. He added that the Bill was highly objectionable and should not be passed. In his opinion, constitutional advance was the only remedy for Civil Disobedience. Sir Abdur Rahim concluded by saying that this was not the sort of law to be accepted, by the country and it was not fair on the Government's part to thrust it on them.

Sardar Sant Singh stressed that the maintenance of law and order was only a secondary function of a Government, the first being public weal. In India the reverse had been the case, hence, the discontent. To give power to the Government to crush Civil Disobedience would be to provide more feeders for the movement. The only real remedy was to hurry forward with constitutional advance. He opined that the ordinary law of the land was quite sufficient to meet the abnormal situation, and supported the motion for circulation.

Major Ahamad Nawaz, welcoming the measure, said that the Government had done a great service to the peace-loving and law-abiding citizens, by bringing forth this very useful and much needed Bill. He opined that it would be a diabolical act to oppose it and thought it was the foremost duty of the House to support the Government in governing justly and fairly.

Mr. Jehangir Munshi said that men like him who two years ago had no faith in the Congress had, thanks to the Government's methods and policy, begun to believe that the Congress was the only living body and that its method represented the only method of attaining political objective. The Congress had pursued for forty years the constitutional method, and had failed. Mr. Munshi, continuing, said that the Bill would make it impossible

for any one to live without being at the mercy of petty officials. The Government were disfiguring the Penal Code.

Sir Zulfiqar Ali referred to the violent agitation and discontent consequent on the passing of the Rowlatt Act and the apathy of the British Government, and hoped that both sides of the House would learn a lesson from past experience. In his opinion, unemployment and the agrarian discontent had given an impetus to the Civil Disobedience movement, and added to the resentment against the repressive laws. The Government, instead of asking the House to arm them with more weapons, should remedy the causes of discontent. But the remedy proposed was worse than the disease. Referring to the social boycott of public servants, Sir Zulfiqar Ali said that it was an offspring of the resentment against repressive laws and could only be prevented by sympathy and justice on the part of the Government, and by adopting a course reflecting the aspirations of the people and not by stringent legislation.

Mr. Neogy opined that the principle underlying the Bill was the substitution of the rule of law by undisguised and undiluted tyranny. Mr. Neogy referred to the "conspiracy" between the European Association and the Government for repression, by detailing the history of Civil Disobedience since the Irwin-Gandhi Pact. In this connection he referred to the Press statement by Dr. Ansari that he had seen the actual text of the Ordinances, while the second Round Table Conference was in session. This statement had so far gone unchallenged on the part of the Government. Mr. Neogy said that if the Congress had the same stronghold on the people as before the Ordinances, then the Ordinances had failed; and if the Congress had lost its influence with the people, there was no justification for the re-enactment of the Ordinances. He cited innumerable instances of repression.

The debate was then put off.

ADJOURNMENT MOTION ON TERRORIST OUTRAGE

Mr. Morgan, the leader of the European group, moving for the adjournment of the House to discuss the situation arising out of the attempt at the life of Sir Alfred Watson, the Editor of the Statesman, said that the motion was not a censure on the Bengal Government but intended to show that the Bengal Government had not sufficient powers to check terrorist movements of this description. The attack made on Sir Alfred Watson when he went out for a drive last evening showed that it was not the method of a gangster. He said: "It may be said by some people, that it is an attack against Europeans. That may be so at the present moment, but my friends will realise that once a revolutionary movement of this description gains strength there is no stopping it, as it could be diverted against all persons with whom they do not agree." Mr. Morgan contended that education in Bengal was not being run satisfactorily. It was a matter for investigation whether the Bengal Government should not have more powers over schools and colleges in regard to their discipline and administration. Proceeding, the speaker said: "We have heard a great deal about the freedom of the Press. Sir Alfred Watson is the Editor of a paper well known to us. Is this freedom of the Press that the editor, merely because he voices his opinion which is not palatable to some sections, should be shot, if possible murdered?" Mr. Morgan quoted from Mahatma Ghandhi's writings to the effect that so long as the outrages were tolerated publicly and not condemned in action rather than in speech and the Government not assisted in bringing the offenders to book, these outrages would continue even with self-government or with complete independence. Mr. Morgan further said that it was most unfortunate that this situation should have arisen at this moment. It was a question to consider whether, so far as

Bengal was concerned, the question of constitutional reforms should not be postponed until the terrorist movement was definitely got rid of. He would ask the House to realise what would be the position in Bengal if provincial autonomy were started the next day in the midst of terrorist crime. The position would be an extremely difficult one for any Government.

WITHHOLDING REFORMS FROM BENGAL

Mr. Ranga Iyer described the outrage as abnormal and sympathised with the feeling of Europeans. Mr. Morgan had said: "Don't go forward with reforms for Bengal." If there were no reforms then they would be thrown into the jaws of terrorists. Terrorism could be met only by rousing public opinion. Terrorism stood in the way of constitutional growth but any blocking of reforms would mean more terrorism. If there were real reforms then, instead of the European Home Member putting down the terrorists, it would be Sir Abdullah Suhrawardy or Mr. S. C. Mitra. Let the repressive measures be withdrawn, let Mahatma Gandhi, the greatest policeman in the British Empire, be released and with his help they could put down terrorism.

Sir Mohammed Yakub wondered if the British Government who spent more than seventy-five per cent of the revenues on military and police had ceased to function. It was surprising that the mighty British Government should have been so paralysed by a few Bengali men and women.

Mr. B. Das, associated with Mr. Morgan in condemning terrorism. Referring to Mr. Morgan's advice "Do not give provincial autonomy to Bengal," Mr. Das said that such methods would only worsen the situation. For stamping out terrorism, his advice would be to press upon the Government of India as well as the British Government to find an immediate solution by releasing Mahatma Gandhi, so that he might settle the future constitution of India, with the inauguration of which terrorism was not likely to raise its head again.

The Hon. Sir C. P. Ramaswami Aiyar said that the outrage showed that there was a sinister and clever organisation, that the men engaged in it had callous disregard for the sanctity of human life and for the decencies of human intercourse.. It was uncharacteristic of Indian culture. If he was not sure that this was a passing madness, his sorrow would be permanent.

Mr. James said: "This terrorist cult is growing. It is not merely a passing phase. It may make the members of my community pause and say wither we are going. I would ask the Government whether they are satisfied that they have ample power, whether they are prepared to concentrate all their energies in every department to meet this one menace, which, unless met, will put away for all time any thought of advance along constitutional lines. We are prepared to invite the members of this House, particularly Bengal members, to meet us to devise means of putting the sympathy expressed in the House of practical use."

Mr. K. C. Neogy felt sorry about certain observations made by European members without consideration. He declared: "We are all for having effective measures to grapple with the situation, but you must first diagnose the disease. Sir Stanley Jackson, soon after his retirement, admitted that there had been a marked change in public opinion, that some terrorists were actuated by strong patriotic feelings, and others by a strong race hatred. If you are to stop reform for Bengal, how are you to root out those who are actuated by patriotic feelings? As for race hatred, you have to end the undue race domination on the part of members belonging to the European community. That, again, is a question of reforms. We are quite prepared to take part in any conference. But the real remedy is a very liberal measure of reform."

Sir Abdur Rahim said: "An outrage of this character committed against anyone must be condemned, without the least reservation. But how are we to assist actively? We have not got the means, and we are as helpless as the European members. The population of Bengal has not the slightest sympathy with the terrorists. Are you going to punish Bengal for the crimes of a few? It is primarily the duty of the Government to put down crime like this. You may condemn the educational policy. But whose policy is it? We can only advise, but our advice is not taken."

Sir H. S. Gour, while sympathising with Sir Alfred Watson, was anxious to see the frequent outrages put an end to by the Government. Referring to the suggestion for postponement of Reforms as a remedy, he said that the movement was being fed by the delay in India's progress towards self-government, which delay was creating a larger body of disgruntled people.

Mr. Yamin Khan, on behalf of his party, condemned such outrages, and sympathised with Sir Alfred and his lady companion.

Mr. Haig, Home Member, said that there was no doubt about the universality of the feeling against the outrage. The Government felt, even more, as it had a responsibility to discharge in preventing such crimes and punishing the offenders. The Governments of India and Bengal had been in the closest consultation with regard to the measure to meet this formidable menace. The Bengal Terrorist Act had been passed, and supplementary legislation would come before the House next session and would, he hoped, receive full support. He continued: "If any further powers are required, we would not hesitate to ask for them. This motion is not an attempt to censure the Government for their action or inaction. It is rather to interpret the feelings of the House and to issue a call to the public. That being so, the Government will accept this motion, and I hope it will be carried unanimously."

Mr. Ghuznavi said that the Moslem community detested terrorist outrages in all forms. Political Swaraj could not be raised on the foundation of assassinations. He warned the Government that either they should govern or get out.

MOTION WITHDRAWN

The motion was withdrawn.

SEPTEMBER 30, 1932.

CRIMINAL LAW AMEDMENT BILL CONTINUED

Further considerations of the Criminal Law Amendment Bill were made.

FURTHER DISCUSSIONS ON THE BILL

Mr. Jehangir Munshi, continuing his speech on the Ordinance Bill, said that the passing of this worst piece of legislation, would bring the British Government into contempt. He wanted that the British and Indian elements should combine to eradicate the evil of terrorism. There was British terrorism in the form of suppression of public opinion, and there was Indian terrorism, the latest manifestation of which they had seen. But the present Bill was hardly the weapon with which to put down terrorism.

Mr. Joshi, declaring himself as a non-Congress man and a non-communalist, opposed the Bill, which he described as introducing terror throughout the land and cutting at the root of liberty and freedom. The Congress had the sympathy of the people throughout the country. Speaking from his knowledge of Bombay, he said that those who did not sympathise with

Congress still gave funds to the Congress, because there was a feeling that the Congress was being humiliated and crushed by the Government. The passing of Bills like this would only add to that sympathy. Mr. Joshi concluded: "Mr. C. Rajagopalachari, the chief lieutenant of Mr. Gandhi, had declared that the Congress would not stand on prestige if the Government wanted co-operation. Let therefore, the Government give up these repressive measures, and release the political prisoners and thereby pave the way for conciliation with the people."

Mr. Shafi Daudi agreed that there were objectionable manifestations of Civil Disobedience which required to be checked, but the present Bill was not only for the present emergency to meet those manifestations, but also for all future activities. Hence he could not support the Bill as it was. He wanted a different Bill intended to deal only with the present manifestations of Civil Disobedience.

Mr. S. C. Mitra regarded the movement as transient. The remedy for the disease should be such as not to offend popular opinion He quoted instances to show the abuse of powers by the Police and executive authorities in carrying out the Ordinances.

Sir Abdulla Suhrawardy said that communism, terrorism and Civil Disobedience had been disturbing the peace and tranquillity of India. Civil Disobedience was an article of faith with Mr. Gandhi, and would not die so long as he lived. He agreed with Sir Mohammed Yakub on the danger to the country resulting from the rejecting of the Bill and urged the Government to consider Mr. James's suggestion for improving the publicity arrangements and for members of the Assembly co-operating with the Government for finding ways and means to suppress terrorism in Bengal. Sir Abdulla declared that the Ordinances had failed to achieve their object so far as terrorism in Bengal was concerned, and legislation embodying their provision would make no difference, while troops were no more efficacious than the mosquito-brigades of the Calcutta Corporation They were only a source of annoyance to the peaceful public.

Mr Dalal said that the Government were compelled to promulgate the Ordinances for the maintenance of law and order, and opined that the Bill was required for the suppression of a lawless movement and the protection of individual liberty.

Mr. Jadhav was completely opposed to the Bill, and said that the Government were anxious to place the Bill permanently on the statute book now, as there would be no chance for such stringent legislation in the future councils.

Mr. C. S. Ranga Aiyar took exception to the provisions for greater control of the Press, and said that the Government had no justification for going behind the back of the Assembly, and issuing a Press Ordinance nor for their now trying to place it on the statute book as a permanent piece of legislation. The terrorist Press could never be suppressed by such legislation, because terrorists conducted their propaganda through leaflets and it was difficult to trace where they were printed and by whom. Only honest pressmen would suffer under the Bill, as it had happened in several cases like his own and Mr. Horniman's. Political rebellion had not caused so much losses of life as the communal rebellions, and yet the Government did nothing But because terrorists were having their leaflet propaganda, here was a Bill attacking the entire Press in India. The Home Member had said that terrorism was an open force. That was not so. Terrorism was a surreptitous snake in the grass. Civil Disobedience was certainly an open force, as civil resisters did everything in open and courted arrest. As for Communism, Mr C. S. Ranga Aiyar observed, it was opposed to the very

religion and culture of Hindus and Muslims. If there was communism from Moscow behind the "No-Rent" campaign in the U. P., how many talukdars had waited in a deputation on the Government? As Sir C. P. Ramaswami Aiyar had said the previous day, neither the Congress nor its ideals could be crushed. Only, constitutionalists would suffer a set-back if such Bills were proceeded with. The Government could still retrieve the blunder by reviving the spirit of the Irwin-Gandhi Pact.

HOME MEMBER'S REPLY TO THE DEBATE

Mr. H. G. Haig, replying to the debate, welcomed the free and frank expression of opinion. The question of circulation of the measure was a minor one, for no effective circulation could be had without wholly upsetting the Government programme about this legislation. The members had already expressed the views of their constituents, and the Government knew the views of the Local Governments. Mr. Haig referred to the charge that this Bill was intended in some way to impede the coming of the new Constitution, and said: "That is the last thing we have in our mind. What we feel, on the contrary, is that these powers are intended to restrain the Civil Disobedience movement as nothing could be more disastrous to the new constitution than the success of Civil Disobedience, which will be a deadly blow to the working of any free constitution in the future. The Leader of the Nationalists and others have said that repression is no cure. If by that phrase he means that repression is not a cure for political unrest and for political aspirations and for the rising tide of political consciousness, I entirely agree with him and His Majesty's Government entirely agree with him. Repression in that sense is not and has never been our policy. But we must distinguish between concessions to political development and concessions to political lawlessness."

CRUSHING CIVIL DISOBEDIENCE MOVEMENT

Those who had contended that Civil Disobedience was a reaction against an illiberal policy, the Home Member observed, were forgetting what had happened during the last two or three years. He recalled Lord Irwin's announcement of November, 1928 about the Round Table Conference. In December that very year the Congress decided to keep away from that Conference and ask for independence or the shadow of independence

Mr. Haig continued: "I have always regarded that decision as one of the tragedies in the recent history of India Mr. Gandhi has stated in his letter to Sir Samuel Hoare that he regarded Civil Disobedience as an article of faith. It is possible that gives a clue to the action pursued in the last two years. Where faith comes in, reason goes out. It may be that Mr Gandhi had been hypnotized by the previous success of a particular method, but in my judgment we must prove to the people that Civil Disobedience is not a panacea for political problems We must show that it is a discredited political weapon, and we must endeavour to break it."

Mr. Haig contended that rather than these powers rousing popular bitterness, they had quite the contrary effect, as was shown by the past nine months' experience, when even more drastic powers had been in operation. He did not agree that Civil Disobedience had collapsed, but maintained that if the special powers were used with caution and moderation, they might be able, in a comparatively short time, to see the end of the Civil Disobedience movement. But if they weakened, there might be a further revival.

OBJECT OF THE BILL

Replying to the argument why the Bill had been brought before the House, Mr. Haig said: "It is clear, whether we like it or not, it is our

constitutional duty, if we want to get those powers, to put our Bill before the House, and ask them to grant those powers. The principle of the Bill is to counteract certain definite manifestations of Civil Disobedience. Our object is to keep these in check."

As regards the suggestion that the Government should show an accommodating spirit in the Select Committee, Mr. Haig said: "We would not fail to meet in a fair way, fair argument, but I must make it clear that the Government would not be prepared to accept as fulfilling the object of this Bill, any pale shadow of the provisions which we have inserted. We must be satisfied that the efficacy of the essential powers is not impaired. Within that limitation we are perfectly prepared to argue the matter out, whether certain powers are too widely drafted and to arrive at a satisfactory solution."

MOTION FOR SELECT COMMITTEE CARRIED

The motion of Mr. Sadiq Hussain, for circulation of the measure by January was put and rejected without a division.

The motion for circulation by the 7th November was put and rejected by 63 votes to 32.

The motion of Mr. Haig for a Select Committee was carried by 64 votes to 32.

INTERPELLATIONS

INDIANS IN SOUTH AFRICA

Mr. C. S. Ranga Aiyar's interpellation on September 12, asking for information regarding the present situation of the Indians in South Africa brought forth a long statement by Mr. Bajpai on behalf of the Government.

Mr. Bajpai recalled the three main points dealt with in the statement made in the Assembly on the 5th April, and pointed out that the special staff engaged to explain the provisions of the assisted scheme of emigration had been dismissed as the possibilities of such emigration had now been exhausted. As for the Government of India co-operating with the Union Government in exploring the possibilities of the colonisation scheme for settling of Indians both from India and from South Africa, Mr. Bajpai stated that the initiative lay with the Union Government, from whom no suggestion had been yet received. The South African Indian Congressmen had recently decided to appoint a delegate to the proposed committee of investigation.

As regards the Land Tenure Bill, the changes made by Union Parliament had the effect of further safeguarding Indians. Clause 5 had been deleted, and the Minister for the Interior had been empowered to withdraw any land from the operation of Section 130 and 131 of the Gold Law where they prohibited residence upon or occupation of any land by coloured persons. This power would be exercised after enquiry into individual cases by an impartial Commission presided over by a judge, to validate the present illegal occupations and permit exceptions to be made in future from the occupational restrictions of the Gold Law.

After explaining the other features of the Act like protection of fixed property acquired by Asiatic Companies till 1st May 1930 and the provision of appeal against the decisions of local bodies regarding certificates of fitness to trade, Mr. Bajpai informed the House that the Indian Congress in South Africa had decided to passively resist the Act, and had appointed a Committee to organise resistance. Probably, no action would be taken until the Commission to enquire into individual titles of occupation had reported. Finally, he stated that the Government of India had instructed the Agent to watch developments.

Mr. Bajpai later assured the House that the Government of India were corresponding with the Union Government, on the question of the entry of Indians on a temporary basis. He added that some of the changes made in the Bill were the result of representations made by the Government of India.

Replying to supplementary questions, Mr. Bajpai stated that the new Agent had full confidence in the South African community. Private agencies were already exploring the possibilities of emigration into Brazil. But no information had been received from the Union Government, with whom the initiative lay.

INDIANS IN PORTUGUESE E. AFRICA

Mr. Metcalfe, replying to Mr. Bagla, said that the Government had made a representation through diplomatic channels against the decree passed in Portuguese East Africa, providing that the staff of all the firms must consist of at least seventy per cent. Portuguese Nationals, reduced in certain cases to fifty per cent. The decree applied to all British subjects including Indians.

Mr. Joshi: Any result of the representation made ?

Mr. Metcalfe: Not yet.

RECRUITMENT TO INDIAN ARMY

Answering Sirdar Sant Singh, Mr. Tottenham, Army Secretary, stated that the percentage of Sikhs in the army in 1914 was 19, that of Mahomedans 40, and of Hindus excluding Gurkhas 30. The corresponding figures in 1931 were: 16, 37 and 32.

Sir H. Gidney complained that there were no Anglo-Indians in the rank and file of the army, when Mr. K. C. Neogy pointed out that recruitment of Anglo-Indians was on the same footing as that of Indians.

Mr. Joshi adverted to the undue preponderance of one community in the Army, and wanted the Government to take steps to reduce it.

PROGRESS OF INDIANISATION OF ARMY

Replying to Sardar Sant Singh on September 16, Mr. Tottenham, the Army Secretary, laid the following statement showing the progress made in the eight units originally selected for Indianisation:—

"On the 14th March 1923, there were 20 British King's Commissioned Officers and no Indian, whereas on 30th June 1932 there were 8 British against 8 Indian officers. In the 5th Maharatta Light Infantry in 1923, there were 16 British against 2 Indian officers, while there were 9 British in 1932 against 8 Indians. The 1/17th Rajput Regiment contained 19 British against 2 Indians in 1923, but there were in 1932 9 British against 10 Indians. The 1/14th Punjab Regiment in 1923 contained 20 British, while there were no Indians. In 1932, there were 10 British and 8 Indians. The 4/19th Hyderabad Regiment contained 16 British and no Indians in 1923, whereas in 1932 there were 10 British against 10 Indians. In the Second Madras Pioneers, there were 20 British against no Indians in 1923, while there were 10 British against 8 Indians now. The 7th Light Cavalry had 18 British officers against no Indians in 1923, but there were 7 British officers against 10 Indians now. In the 16th Light Cavalry against 20 British and 1 Indian in 1923 there were now 8 British and 10 Indians.

Under the Chetwode Committee scheme, the Fourth Cavalry Brigade and the Fourth Division had been selected for Indianisation and sufficient infantry and cavalry units had been selected to fill these formations. This scheme came into operation on the 15th April this year. In addition to the

officers of the Indian Medical Service, there were at present 109 Indian officers holding the King's commission in the Indian Army.

The following had been selected for Indianisation: The 5/2nd Punjab Regiment, the 5/6th Rajputana Rifles, the 5/8th Punjab Regiment, the 5/10th Baluch Regiment, the 5/11 th Sikh Regiment, the 4/12th Frontier Force Regiment, the 6th Royal Battalion, the 13th Frontier Rifles and the Third Cavalry.

At the beginning of the scheme in April last, there was only one Indian King's Commissioned Officer in the 5/11th Sikh Regiment, while on the 30th June, there were 6 such officers in five of the units selected for Indianisation."

PROSECUTIONS UNDER CHILD MARRIAGE ACT

Mr. Haig informed Pandit Sen that there were 33 prosecutions under the Child Marriage Restraint Act, 15 of which ended in conviction. In two cases, simple imprisonment was awarded. In ten cases, fines were imposed. In one case, the Local Government remitted the sentence. Three cases were dealt with under Section 562 of the Criminal Procedure Code.

ROUND TABLE CONFERENCE EXPENDITURE

Sir C. P. Ramaswami Aiyar, replying on September 29 to a question by Mr. Maswood Ahmed in the Assembly said that the actual expenditure for the first Conference debitable to Indian revenues was Rs. 6,64,289. Similar figures for the second Conference were not yet available, but the expenditure approximately amounted to Rs. 6,62,600. No information was available in regard to expenditure incurred by His Majesty's Government. He considered that it would be difficult and would involve too much labour and expediture, to calculate the amounts received by each member.

OTTAWA CONFERENCE

Sir C. P. Ramaswami Aiyar, replying to Mr. Sukdevraj on September 23, said that Sir George Schuster and Sir Henry Strakosch were appointed members of the Indian Delegation to Ottawa.

Mr. Joshi asked why when commercial advisers were sent from the United Kingdom, none were sent from India.

Sir C. P. Ramaswami Aiyar: It was not considered necessary because our delegates were able to deal with all the problems.

Mr. B. Das: Were they given instructions in all matters ?

Sir C. P. Ramaswami Aiyar: There were daily communications and they were informed of the trend of opinion in India and the reactions in India on what they were doing.

Dr. Ziauddin: Was instruction given on each item ?

Sir C. P. Ramaswami Aiyar: The Government of India gave their views on whatever point referred to them.

The Commerce Member informed Mr. S. J. Jog that the Government proposals regarding the Ottawa Agreement would be placed before the Legislature early in November next. The procedure which would be adopted in this connection had not yet been decided.

INDIA AND COST OF WAR

Sir Alan Parsons, answering Mr. Gaya Prasad Singh, stated that the sum of £ 13,600,000 represented the additional charge which, as the result of a resolution adopted by the Imperial Legislative Council on September 10, 1918. India agreed to bear in respect of cost of military forces raised in India. The Imperial Legislative Council, by a resolution in 1920, recommended that there should be no recovery of this sum; hence the payment was treated as provisional until other claims and counter claims arising

out of the war had been settled. The Finance Member also admitted that this sum is in addition to contribution of £ 100,000,000 which India agreed to make towards the cost of war.

FEMALE CONVICTS TO THE ANDAMANS

Mr. S. C. Mitra on September 26 referred to the recommendation of the Indian Jails Committee of 1919-20 to exclude all female convicts from being sent to the Andamans on account of the absence of all reformatory influences and the resulting demoralisation of prisoners.

The Hon. Mr. H. G. Haig replying said that this recommendation should be read with their recommendations regarding the Andamans as a whole. The Committee suggested firstly, the gradual closing down of the settlement as accommodation became available in the Indian jails by repatriating convicts to India and by deporting no more prisoners from India and, secondly the maintenance of a jail at Port Blair for a limited number of prisoners whose removal from British India was considered to be necessary in the public interest.

As an exception to this policy of gradual removal, they proposed that all the women prisoners could be repatriated at once without causing any practical difficulty on the score of accommodation in the Indian jails as their number was small. The Government of India agreed to this recommendation, as the repatriation of female prisoner would make available the female jail at South Point for the accommodation of male convicts. There was also the fact that the conditions described in paragraph 551 of the Jail Committee's Report made it at that time undesirable that women prisoners should be retained in the Andamans. But these conditions no longer existed and the features of the settlement have profoundly changed since the Jail Committee wrote this Report.

Replying to the other parts of Mr. Mitra's question about the special arrangements made for the protection of female virtues in the midst of a large number of old convicts and low class guards of women proposed to be sent to the Andamans, Mr. Haig said that the women prisoners sent to the Andamans would be confined in a wing of the Cellular Jail, Port Blair, set apart for the female prisoners and would be entirely separate from the other prisoners in the jail and from the settlement. A female staff was in charge, and the male convict warders were not allowed within the wing, set aside for female prisoners.

THE ASSEMBLY ADJOURNS

The House adjourned till the 7th November when it meets in Delhi.

COUNCIL OF STATE

THE Autumn session of the Council, which opened on September 20, 1932 discussed, among others, Retrenchment in the Centre, Communal Award. Indianisation of services under Port Trust. Defence Forces. Suppression of Terrorism, etc.

SEPTEMBER 20, 1932.

NARCOTIC DRUGS CONVENTION APPROVED

Mr. J. B. Taylor moved a resolution recommending to the Governor-General to ratify the International Convention for limiting the manufacture and regulating the distribution of narcotic drugs. He said that it had long been recognised that international action was necessary to control the manufacture of narcotic drugs in order to effectively prevent their entry in dangerous quantities into India, which would be harmful to the health and moral of the people. The export and consumption of raw opium in India had been regulated by the Conventions of 1912 and 1925. The present one did not add to the restrictions. No cocaine was manufactured in India, but alkaloids of opium were manufactured at the Gazipur Government Factory. There had been always the strictest control so as to ensure that these drugs were used only for medical and scientific purposes. There was nothing in the conventions which need cause anxiety, as to the right of India to manufacture her legitimate requirements. The Convention did not go far enough, but it did mark a definite step forward in international co-operation for the control of this illicit traffic in drugs. He expected that the method of control outlined in the convention would afford a reasonable hope of ultimately strangling this dangerous traffic.

The resolution was adopted.

SEPTEMBER 21, 1932.

MOTION FOR RETRENCHMENT IN THE CENTRE CARRIED

The manner in which the Government had acted on the reports of various Retrenchment Committees, was discussed.

Mr. Hussain Imam complained of the unsatisfactory policy of the Government in the matter, and remarked that favouritism was shown to high-paid officials, particularly regarding income-tax. He added that there was absolutely no justification in having a full time President for the Council of State, and wanted that the recommendation of the Retrenchment Committee in this regard be given effect to.

Mr. Ramsarandas, a member of the General Purposes Retrenchment Committee, exhaustively quoted from the Committee's reports to rebut the arguments of the members of the Government, that the Committee had gone against the interests of the beneficent departments. On the other hand, he complained that in certain beneficent departments like Education, where the Committee had merely recommended only a few reductions, the Government had gone further and made several other 'cuts.'

Mr. Taylor, Finance Secretary, denied that the Government were dilatory in taking action on the recommendations of the Committees. The total effect of all the recommendations of all the four Committees was a cut of Rs. 470 lakhs, of which Rs. 430 lakhs had been accepted and the rest

were under consideration. The Army Department had effected a reduction of Rs. 410 lakhs as against a cut of Rs. 278 lakhs recommended by the Army Sub-Committee. The Government had not desisted from further efforts in this matter. A policy of ruthless economy was being pursued ever since the Inchcape Committee reported, and there was now no field left uncovered for retrenchment.

Mr. G. A. Natesan, Chairman of the Stores Purchase Retrenchment Committee, opined that if the Law Member could not be made President for the session, then it was time for a non-official President, who could be had on a reasonable honorarium to maintain his dignity and prestige.

The resolution, which was supported by the Government, was carried.

URBAN TERRITORIAL UNITS

Mr. Jagannath Maharaj Pandit moved a resolution recommending the extension of the system of the formation of Urban Units under the Territorial Forces Act, so that young men, especially in the cities, who had the benefit of high school and collegiate education, might take advantage of it in increasing numbers, and fit themselves for entering the military service.

Mr. Ghose Maulik and Dewan Bahadur Narayanaswami Chetti supported the motion, while Mr. Benthall had grave doubts as to the wisdom of the expenditure involved.

His Excellency the Commander-in-Chief opposed the motion. Speaking from his experience, he said that there was not sufficient response for recruitment. For example, in Madras and Bombay, recruitment was less than half of the allotted figure. He had no objection to more money being spent for recruitment, because it did not come from the Army Budget, but there must be sufficient enthusiasm on the part of the people themselves.

The resolution was withdrawn

PROVIDENT FUNDS ACT AMENDING BILL

A small private measure by Mr. Hussain Imam amending the Provident Funds Act section five was opposed by the Government, and rejected by 26 against 17 votes. The object of the measure was to allow a deposit to be given to the nominee of the heir in certain circumstances.

SEPTEMBER 22, 1932.

OFFICIAL BILLS

Five official Bills, passed in the Legislative Assembly, were passed. They were Bills to amend (1) the Indian Emigration Act; (2) the Cantonments Act, (3) the Ancient Monuments Preservation Act; (4) the Trade Disputes Act and (5) to establish Committees in the principal ports of pilgrim traffic to assist Haj pilgrims.

Lala Jagdish Prasad's amendment to the Ancient Monuments Bill, for the addition of a proviso to clause three, that no antiquities of national interest and value be taken outside India, was strongly supported by Mr. Khaparde and a few others, but was defeated by 32 to 15 votes.

An amendment moved by Mr. Hussain Imam to omit clause five of the Haj Bill, was lost without a division.

SEPTEMBER 23, 1932.

MOTION FOR REVISAL OF COMMUNAL AWARD

Mr. Ramsarandas moved that "it be communicated to His Majesty's Government that in the Council's opinion the Premier's Communal Award is unacceptable to any section of the Indian communities in India and that

it should be withdrawn." Lala Ramsarandas said that the Communal Award, looked at from every point of view, afforded no evidence of the statesmanship which had characterised the dealings of the British politicians with India. It introduced a principle opposed to ideas of democracy. It separated the communities into separate sections, thus preventing effectively the formation of parties on non-communal lines. It would destroy impartiality of administration, as Ministers dependent on communal parties would have to pander to their supporters. It aimed at giving protection to minorities, but extended the principle of separate electorates to the Muslim majority in the Punjab and Bengal. It failed to make any provision for joint responsibility in the Cabinets. Muslim organisations had expressed their dissatisfaction Indian Christians had condemned separate electorates and the Sikhs had opposed them. In no Province had the decision given satisfaction to the Hindus. Referring to the Hindu position in the Punjab and Bengal under the Award, Lala Ramsarandas said that they were strongly opposed to separate electorates. Whilst to Muslim and Anglo-Indian minorities, a very large weightage had been allowed, the Hindu minorities both in the Punjab and Bengal had been assigned seats even less than their proportion in population. Democracy could only succeed on the basis of nationality, without distinction of caste, creed or community.

THE DEBATE

Syed Abdul Hafeez said that the resolution was a tactless one, sponsored by Congressmen who were Nationalists outwardly but were rank communalists in reality.

Mr. Hayat Khan Noor thought the intricate problem forced upon the British Government could not have been done better in meeting the demands of all the communities. It would be unfair merely to condemn the decision, when there was no alternative solution meeting with the approval of all the communities concerned. As to the Sikh position, he pointed out that the Sikhs got 18 per cent of the seats in the Central Legislature, which was fifty per cent more than what they were entitled to on the population basis. As to the Sikh demand, that no single community should form a majority in the Councils, Mr. Noor said that it was impracticable.

Mr. Miller, opposing the resolution, opined that the resolution might do harm. He said that the decision of the British Government was fair on the whole, and, if accepted, would form a "workable arrangement."

Sir Phiroze Sethna was glad that the door was still left open by the Premier for any solution by the different communities themselves. Himself, a member of the minority community, he had never asked for reservation in a joint electrorate, much less in separate electorates.

Mr. Bhuta Singh reminded the House that the Sikhs were much grieved by the Award and observed that it would be wrong to force the decision on an unwilling population. It must therefore be revised.

AN AMENDMENT

Mr. Hussain Imam said that according to the League of Nations Convention minorities were usually given more rights than the majorities. So also in India, the minorities had such rights. He referred to the days when the Swarajists were in the Councils, and said that despite separate electorates, there was no divergence of views regarding the ultimate national point of view. He trusted that the British Government would modify the Award in a suitable form wherever necessary. He moved an amendment to that effect.

Choudhury Zafarullah Khan (Educational Member) considered that if the Premier's scheme was to be withdrawn, as the resolution suggested, no constitutional advance would be possible. It was not right to say that the

Award was not acceptable to any community in India. True, there were anomalies in the Award, but the moment the majority community treated the minority communities in a liberal and generous manner so as to win the latter's confidence, these anomalies would disappear. Separate electorate and weightage were brought in because of the lack of confidence amongst the people themselves. In Assam and the Frontier the doctrine of weightage had not been pushed so far as to convert the majority to a minority or the minority into a majority. Concluding he said, either they should work for an agreement which would alter the scheme in the way desired, or accept the scheme in the interests of proceeding with the Reforms.

AMENDMENT ACCEPTED AND RESOLUTION WITHDRAWN

Lala Ramsarandas expressed his readiness to accept the amendment of Mr. Hussain Imam that, instead of the Premier being asked to withdraw the scheme, it should be stated that it ought to be further amended.

Sir Frank Noyce said that this Majesty's Government were perfectly willing to modify the agreement, provided there was satisfactory agreement amongst the communities concerned. To-day's statement about the Depressed Classes showed the bona-fide of the British Government in this regard.

Lala Ramsarandas desired that a copy of the debate be sent to the British Government. Sir Frank Noyce agreed to this

Thereupon, Lala Ramsarandas withdrew his resolution

PROCEDURE FOR ELECTIONS TO COMMITTEES

Mr. Jagdish Prasad moved a resolution that a convention be established that in elections in the Council to the different committees boards or bodies, on which the Council is represented, official members might not take part in the voting. He said that out of sixty members, twenty-seven were nominated and thirty-three elected.

Sir Maneckji Dadhaboy, opposing the motion, doubted whether a mere convention could set aside a statutory provision existing under the Government of India Act. Legally, therefore, this resolution was improper, and otherwise also undesirable.

Mr. Miller, Sir Akbar Khan and Dewan Bahadur G. Narayanaswami Chetti opposed the resolution, holding that there would be bad blood between the officials and the non-officials

Sir Frank Noyce opposed the motion, on grounds of procedure, principle and past practice. The Government, he said, had to work the constitution as they found it.

Lala Ramsarandas supported the resolution, and said that the Government should consult the two parties within the House, recently formed, before making up their choice of names.

Mr. Hussain Imam Mr. Bhuta Singh and Mr. Natesan supported the idea underlying the resolution.

The mover demanded an assurance from the Government in terms of Lala Ramsarandas's suggestion.

Sir Frank Noyce said that it was the desire of the Government to make all committees as representative of the non-official section as possible.

RESOLUTION WITHDRAWN

The resolution was withdrawn.

INDIANISATION OF PORT TRUSTS

Sir Phiroze Sethna moved a resolution urging the Government to adopt effective measures to secure a substantial improvement in the matter of Indianisation of the Services under the Port Trusts to an appreciable extent. He prefaced his remarks by saying that he moved a similar resolution in

1922, placing before the House the grievances under which Indians were suffering in the matter of appointment in Port Trusts. In spite of Mr. Lindsay's assurance that the Government had taken up the question, nothing had happened to let the House think that matters had improved. So little indeed had been done that they could not but believe that, even in the next ten years, there was going to be any improvement in the situation until the boards were so constituted that Indians would be in a majority in each one of them or at least in large numbers than at present. After giving the figures regarding Port Trusts in India and Aden, Sir P. Sethna said that out of a total of 110 trustees in the seven Port Trusts, there were 74 Europeans and 36 Indians. The latter included two Burmans and one Chinese in the Rangoon Port Trust and one Arab in Aden. This state of affairs, said Sir P. Sethna, could only be cured by an Indian majority on the boards and not until then European interests were looked after well in the Port Trusts. Sir P. Sethna cited the instances of the appointment of the Chief Accountant in the Bombay Port Trust and how Mr. A. B Roy was got rid of from the Calcutta Port Trust on the alleged ground of inefficiency After examining the figures laid on the table by Mr. H Drake, the Commerce Secretary, showing the number of appointments held by Indians receiving Rs. 500 and upwards, Sir P. Sethna said that the House must realise that it was indeed a sad state of affairs The Government of India must adopt remedial measures

DISCUSSIONS ON THE RESOLUTION

Mr. Miller was satisfied that reasonable progress had been made so far, and that the proportion of Indians was likely to increase further

Dewan Bahadur Narayanaswami Chetti was in general agreement with the mover.

Mr. Drake, on behalf of the Government, explained that the objects of the Government and that of the mover of the resolution were similar. The Government were entirely in agreement with the underlying principle of the resolution, and assured Sir P. C Sethna that they had gone as far as they could The only method by which Indianisation could be brought about was by appointing Indians in the lower ranks, and he gave certain figures to show that the number of statutory Indians had appreciably increased during the last few years.

Sir P C Sethna, replying, pointed out that "Statutory Indians" included a large number of Anglo Indians, and that the measures of Government had not so far been effective in achieving the object of the resolution However, he trusted that the Government would do their duty without injustice to Indians

RESOLUTION CARRIED

The resolution was adopted.

CHITTAGONG OUTRAGE CONDEMNED

Sir Frank Noyce moved an official resolution expressing the Council of State's deep sense of horror, and placing on record its strong condemnation of the terrorist outrage perpetrated on the night of the 24th at Pahartali (Chittagong), and requesting the President to convey the Council's sympathy to the families of the victims and the wounded persons. Sir Frank Noyce felt sure that the House would express the sternest condemnation of this insensible and brutal outrage.

HON. MEMBERS' CONDEMNATION OF THE OUTRAGE

Sir M. Dadhabhoy remarked, "This dastardly and revolting crime has excelled all past records in the history of crimes in this country." He hoped that the expression of strong condemnation would not be confined to this

Council, but that meetings would be held in all the principal towns, similarly condemning the outrage. He assured the Government of every support in any measures they might bring forward to suppress the evil of terrorism.

Sir P. C. Sethna warned the terrorists that they would be greatly mistaken if they thought that by such deeds the Britishers would be driven out of this country or be cowed down. On the other hand, such acts only set back the hands of progress. But if Reforms were expedited and introduced in a liberal measure, then the present discontent would be greatly allayed, and the forces of anarchy indirectly suppressed.

Mr. G. A. Natesan (Madras), Mr. Hussain Imam (Bihar), Mr. P. C. Dutt (Assam), Lala Ramsarandas, Syed Abdul Hafeez (Bengal), and Mr H. M. Mehta (Bombay), joined in vehemently condemning the outrage at a time when all were bending their energies for the solution of the constitutional issue. Mr. Natesan hoped that India had seen the last of the terrorist movement. Mr. Hussain Imam said that no amount of repression would stamp out the evil, unless the people were prepared to support the Government. He hoped that public opinion would assert itself in no unmistakable terms.

Mr. Benthall (Bengal Chamber of Commerce and Round Tabler) described the crime as insensate and cowardly. He was grieved that the fair name of Bengal had once again been smirched before the world. He agreed with Mr. Hussain Imam that public opinion must assert itself in stamping out the evil. Therefore, he would regard any one, who indirectly encouraged terrorists by praising terrorism, either in the Press or on the platform, as making himself responsible for such crimes. Mr Benthall added: "If the organisers of the movement think that by such acts, intended to terrorise Britishers, they will frighten them into conceding some thing which they do not believe to be merited or just, they will be greatly mistaken. I hope the House will support any drastic measures that the Government may deem necessary to put down the evil The campaign of terrorism will render more than difficult for us to carry out the liberal reforms, for which so many, including myself, have worked. If Responsibility is handed over to the people before the movement is crushed, there will be no democracy and no Self-Government, but it will be a Government by terrorism. Ministers and legislators will live under the shadow of revolvers and bombs. Moreover, it will not be confined to one province. Every one in India, should unmistakably condemn this act of the terrorists."

The President associated the Chair with the resolution, which was carried without any dissentient voice.

SEPTEMBER 28, 1932.

QUESTION OF INDIAN FEDERATION

Mr. Hussain Imam asking for the publication of papers connected with the Second Round Table Conference and Committees appointed by the Premier thereafter, covered the ground of Federal Finance and stressed that Federation should have equal powers to impose taxes on all parts of India including the States. The rights, privileges and immunities should be abolished if they were repugnant to the Federal ideas. He urged for representation of States subjects in the Federal Legislature.

The Hon. Rao Bahadur G. A. Natesan wanted to know whether it would be within the competence of members of the Third Conference to raise any issue or make any proposals relevant to the future constitution especially subjects like defence, Indianisation of the army and responsible Government for British India in the Centre, if for some reason or other federation was delayed.

Hon. Syed Muhammad Padsha said that the Muslim community was not prepared to make undue sacrifices for inducing the Princes to come into the Federation.

Hon. Mr. G. S. Khaparde said that the task of evolving a federal scheme and to work it out was not easy as it was the case with the United States. Indian Princes who enjoyed so many privileges and rights by war and other circumstances could not easily forego them.

Mr. E. C. Benthall stated that unlike those who were demanding an undisciplined democracy, Europeans were always for ordered progress. Europeans were also not satisfied with the recommendations of the Davidson or Percy Committee Reports, but were prepared to tackle the problem so as to overcome the obstacles which lay in the way of constitutional progress. In this process, he would insist upon every device that would strengthen the constitution, such as, provisions for the maintenance of law and order, financial safeguards, etc. Concluding, Mr. Benthall said that like all others, the European community would reserve their final opinion to suit any altered situation.

Mr. Ghosh Maulick deplored that, in spite of two Round Table Conferences and a number of committees, they had not yet come in sight of full Responsible Government.

Choudhury Zafarullah said that under an ideal system of Federation, each unit should contribute to the Federal purse. There was at present diversity of circumstances between British India and the Indian States. It would be premature to speculate on the precise decisions at the forthcoming Conference. Replying to a question whether in the event of the Federation not materialising, there would be responsibility in the Central Government for British India, Choudhury Zafarullah hoped that the contingency of Federation not materialising, would not arise.

Mr Hussain Imam withdrew his resolution.

MOTION FOR REDUCTION OF DEFENCE FORCES

Mr. Hussain Imam moved that the Government should form a committee of experts to recommend a scheme for reduction in the personnel and equipment of the defence forces, compatible with the requirements and resources of India. He said that the British War Office demands for capitation, sea transport, insurance, etc., were unreasonable and rapacious, and should not be equitably charged to the Indian estimates. He felt sorry that the Government had not yet given full effect to the Shea Committee recommendations. The speaker urged a complete revision of the Frontier policy, by which large savings could be effected. He appealed to H. E. the Commander-in-Chief for the sake of efficiency and economy to have full control over British Indian as well as States forces.

Sir Akbar Khan opposed the resolution, opining that there was no ground left for economy after the recent revision by the Retrenchment Committees.

COMMANDER-IN-CHIEF DEFENDS GOVERNMENT POLICY

His Excellency the Commander-in-Chief, on behalf of the Government, strongly repudiated the suggestion that the War Office and the War Council dictated Indian military policy. He declared that it was the Cabinet in England that finally decided, on the recommendation of the Committee of Imperial Defence, the policy which he had to carry out here, and the War Office had nothing to do with it." Referring to the contribution of £ 100 millions towards the cost of the War, he said: "This amount of money helped them only for thirteen days. What would have been the fate of India if instead of Britain and other allies, Germany had won in the War? India would have been under the jack-boot of Germany, and there would have been no talk of Swaraj. Would there be credit or commerce in India, if

there was no security on the Frontier, where along a stretch of five hundred miles, is a population of half a million men, mostly armed with modern rifles, and against whom we have to defend. We have also to guard against the ever-present menace beyond the Frontier." The Commander-in-Chief next quoted from last year's military expenditure of the United Kingdom which, he said, came to thirty rupees per head of population per annum, whereas in India it was only one and a half rupees per head. At the same time, he assured the House that the Government of India were making every effort to reduce the cost of the Army.

The resolution was withdrawn.

SEPTEMBER 30, 1932.

MOTION FOR DRASTIC MEASURES TO CHECK TERRORISM

Mr. E. Miller moved the resolution: "The Council, while deploring and expressing its horror at the outrage which occurred at Calcutta on Wednesday evening when a second attempt was made upon the life of Sir Alfred Watson, urges upon the Government the necessity for further immediate and drastic action with a view to crushing the terrorist movement in Bengal and for mobilising the forces of public opinion to this end." Mr. Miller was not in favour of coming to any hasty decision in regard to retarding the progress of provincial autonomy in Bengal owing to the recent outrages, but he, however, felt that if all other methods failed, the withdrawal of autonomy must, at any rate, be seriously considered. Unless all good and loyal citizens applied their power and energy to the task of crushing the terrorists, it would be unfair and idle to blame the Government if they finally came to the decision that no advancement could be granted until law and order was established in Bengal.

Mr. E. C. Benthall (Bengal Chamber of Commerce) declared: "If responsibility were handed over in Bengal immediately, and if a predominantly Muslim Government came into operation, they would be in a very invidious situation to cope with this terrorist movement as the first act of their Government. It will not be giving a fair chance to reforms. If on the other hand, a predominantly Hindu Government came into operation, what guarantee have we, at present, to assume that they would effectively take action to cope with it?" The speaker knew that a large section was opposed to terrorism, but until it manifested itself in public action, he did not think it would be right to hand over responsibility.

Sir Frank Noyce explained that the Government were fully alive to their responsibility, and were already in the closest communication with the Bengal Government. The Central Legislature in the course of the next session, would be asked to pass a certain supplementary legislation, and he hoped that they would show no hesitation in doing so. He also assured the House that the Government would unhesitatingly ask for further powers if required. It had to be seriously considered whether there was not a grave danger that this passing phase of terrorism might be converted into a normal condition; but the only hope that it might not so happen lay in the creation of an atmosphere in which the youths of Bengal and elsewhere would be compelled to realise that there was nothing heroic or patriotic in such mean cowardly and contemptible deeds, with the revolver and the bomb. He hoped that the members, especially those from Bengal, would come forward to create that atmosphere.

The resolution was adopted.

BENGAL LEGISLATIVE COUNCIL

THE Bengal Legislative Council commenced its August session on August 1, 1932. The Council passed, among others, Bengal Municipal Bill, Bengal Suppression of Terrorist Outrages Bill, Bengal Criminal Law Second Amendment Bill and decided upon election to the council on the basis of joint electorate. The Council discussed, among others, Premier's Communal Award as it affected Bengal, Immoral Traffic Bill. etc., etc. Proceedings of the Council follow date by date.

AUGUST 1, 1932.

SEPARATION OF COUNCIL DEPARTMENT

At the outset the Hon. President (Raja Sir Manmatha Nath Ray Chaudhuri of Santosh) formally announced that Government had finally decided to completely separate the Council Department from the Legislative Department and that the Council Department would be under the authority of the President. The necessary announcement on behalf of the Government was then made by Sir P. C. Mitter, leader of the House.

MOTION FOR JOINT ELECTORATE

Maulavi Abdus Samad moved the following resolution:—" This Council recommends to the Government that it be pleased to inform the proper authorities concerned that in the opinion of this Council the system of separate electorate is anti-national and inconsistent with responsible form of Government and is also highly prejudicial to the interests of the minority communities, and as such in the future constitution of the country this should be replaced by a system of joint electorate."

In moving the resolution Maulavi Abdus Samad said that it was this pernicious system of communal electorate which prevented the growth of Indian nationalism and was responsible for the mutual loss of sympathy, good will and confidence which were essential for the peace, prosperity and happiness of the people, and opposed separate electorate on the ground that under such a system, elections were sought and contested on communal and religious issues and not on political and economic issues with the inevitable result that it tended to keep alive bigotry and religious fanaticism—the greatest obstacles to human progress. He narrated from his own personal experience how since the inauguration of the reformed constitution the " Fatawas " of the Mollas were playing a very important part in politics and council elections. Proceeding, Mr. Samad contended that assuming for the sake of argument that the majority of the Muslim community demanded separate electorate, why should that demand be conceded when as a matter of fact it was opposed by the other communities representing more than 4-5ths of Indian population ? The speaker agreed that the Muslims as a weaker community were entitled to claim on political and economic ground concessions which were anti-national in character. But they had no right to claim, nor have the other communities any right to concede, when the right claimed was anti-national in character and stroke at the very root of responsible Government. The advocates of separate electorates had taken up an inconsistent position. They professed that they were in favour of introduction of responsible Government but at the same time they wanted separate electorate, knowing full well that the two could

not go together. Concluding, Mr. Samad showed that from whatever point of view the question might be looked at, separate electorate was highly detrimental to the interests of the Muslim community and other backward and minority communities and was anti-national and inconsistent with responsible form of Government and as such the nationalist Muslims were not prepared to accept it under any circumstance, even with statutory majority.

AN AMENDMENT

Maulvi Tamizuddin Khan moved the following amendment to the resolution :—

"This Council recommends to the Government that it be pleased to inform proper authorities concerned that in the opinion of the Council, system of separate electorate should be replaced by joint electorate provided that the electorate is based upon universal adult suffrage and there is no reservation of seats for any community or for any interest such as landlords, commerce, university and the like."

In moving the amendment Moulavi Tamizuddin Khan said that universal adult suffrage was no doubt the ideal of a responsible and democratic Government. There was no difficulty which could be considered insuperable in starting with the ideal at the very outset. He was convinced that in joint electorate reservation of seats had no place. Indeed the rentention of reservation of seats in joint electorate was the recognition of separate electorate which it allowed to pass through back-door.

DISCUSSIONS ON THE RESOLUTION

Mr. J. N. Gupta, in supporting the amendment of Moulvi Tamizuddin Khan, appealed both to Mahomedans and Hindus to accept the amendment and requested the Treasury bench to cable it to the Prime Minister who might be acquainted with the fact before he announced the award.

Maulvi Abdul Kasem pointed out the futility of bringing the resolution before the Council. The question, he thought, could only be decided by the communities themselves and not by a mixed House like the Council.

Mr. B. C. Chatterji said that joint electorate was the necessary corrolary of a responsible government. He regretted that at the present moment the feeling between the two communities was such that one could not trust the other. He therefore, thought that a beginning should be made with joint electorate with equal number of reserved seats for both communities.

The discussions on the resolution had not concluded when the Council was adjourned until the following day.

AUGUST 2, 1932.

MOTION FOR JOINT ELECTORATE PASSED

Discussions on the motion for joint electorate were resumed.

DISCUSSIONS PROCEED

Explaining the attitude of the Government in connection with the resolution and the amendment, the Hon. Mr. R. N. Reid, Home Member, said that the view of the Government was that in a fully democratic constitution separate electorates were out of place. But practical considerations indicated that separate electorate must for a time continue. It was on these lines that the Government of Bengal gave their views before the Simon Commission. The resolution of Mr. Samad, the Home Member continued, could not be accepted, but at the same time it had been decided that Government should not formally oppose the resolution and that they would not vote. He, however, assured the House that the proceedings of this

discussion would be forwarded as soon as possible to the Government of India.

Nawab Mussaraf Hussein apprehended that if the system of joint electorate was introduced, the case of the Muslims would go by default.

Mr. W. H. Thompson, characterising the debate as an 'academic' discussion, pointed out that universal suffrage was not the ideal which every country should aim.

Mr. K. C. Roy Chaudhury said that if joint electorate had been in existence in the country the fate of the Bengal Tenancy Act-in the Bengal Legislative Council would not have sealed in the way it had been. He asserted that for Labour joint electorate•was most desirable because in industrial areas both the Hindus and Mahomedans, working side by side and often times in the same room and with the same machine, could not think of their interests as being separate from each other. They thought not in terms of religion or society but they received the question from the economic point of view.

Rev. B. A. Nag, speaking on behalf of the Indian Christian community, whole-heartedly supported the joint electorate. He said that his community was prepared to be wiped out if the legislatures of the country were built on a national basis.

Khan Bahadur Abdul Momin said that the real bone of contention was the question of majority in the legislature. Each community was really fighting for a majority in the legislature. Muslims relying on their numerical strength were claiming a majority of seats in the legislature in Bengal while Hindus claiming "alleged" superiority in educational and economic conditions were demanding the same. The fact remained, he continued, that in thinking about the question of electorate Hindus and Muslims alike did not think in terms of Indians but in terms of Hindus and Mussalmans. It was, he thought, impossible at the present moment to bring the Hindus and Mussalmans together as it was impossible to mix oil and water together.

Mr. H. S. Suhrawardy supported separate electorate, firstly because he thought that it would send true and proper representatives which was the purpose of a responsible government and scondly, because it would obviate communal conflicts which, according to him, were the natural product of Joint Electorate.

Mr. A. L. Armstrong, speaking on behalf of the English community, asked the House to remember that it was Britain which had originated and spread the western science, the development of industries and social weal. "We are by no means enemies of freedom," he concluded, "but feel we have a just claim to be a powerful factor in the future legislatures of the country."

Prof. J. L. Banerjee, referring to Mr. Thompson's speech, observed that it seemed to him that his contention was that because they had invented locomotives they were entitled to rule over Bengal. He might as well have said that because they had invented locomotives which were of benefit to Russia and Germany, therefore they had a claim to rule over those countries, no matter whether Stalin or President Hindenburgh approved it or not. Perhaps, Mr. Banerjee continued, what Mr. Armstrong meant to say was that as they had so much stake in the country and had invested so much money in India that was why they should rule here. That sort of arguments would cut no ice, he said. "If you have invested capital in India," Mr. Banerjee continued, "you are entitled to a fair return of the capital. Do you expect something more? There is English money invested in Germany, German money invested in Russia. But could this preposterous claim be put forward that because they had money invested in those countries,

therefore they must rule there ?" Continuing, Mr. Banerjee said that universal adult franchise was not practical politics now, because, he thought, the constituencies would break down under their own weight and far from being helpful to the growth of democracy would prove to be its enemy.

Mr. A. F. M. Rahaman in supporting separate electorate said that assuming that the system of joint electorate possessed all the good things that were ascribed to it, it was not expedient, he thought, to introduce such a system when there was such sharp cleavage of opinion between the two communities. The differences that divided the communities were, he thought, fundamental and were the legacy of history.

Dr. N. C. Sen-Gupta reminded the House that the moment they acknowledged the claim of a particular community to a separate constituency, the very moment they allowed the claims of other communities for special constituencies to be put forward and they allowed the community to be broken into so many atoms, not for any political but for other reasons.

Khan Bahadur Azzizul Huq thought that both the communities had failed to take advantage of the views of others in coming to a compromise. The reality of the situation was, he continued, that a large number of Mahomedans wanted separate electorate and the reason was that it had been found that in the East powers tended to exist perpetually. So far as universal adult suffrage was concerned, he said, it was not practical politics

AMENDED RESOLUTION CARRIED

The Council defeated by 42 votes to 25 the proviso of Maulvi Tamizuddin Khan's amendment that joint electorate should replace separate electorate on condition that the electorate was based up on universal adult suffrage and there was no reservation of seats for any community or for any interest such as landlords, commerce, University and the like. The amendment of Moulvi Tamizuddin Khan was put into two parts by the President. The first part for replacement of separate electorate by joint electorate was carried by 41 votes to 37, and when that was put as substantive resolution modifying the original resolution of Mr. Samad, in which he characterised separate electorate as "anti-national and inconsistent with responsible form of government," it was carried by 47 votes to 32. In all the three divisions that took place, Government members refrained from voting.

AUGUST 3, 1932.

READJUSTING PROVINCIAL BOUNDARIES

Mr. N. K. Basu moved his resolution recommending to the local government "to move the Government of India for the appointment of a commission to readjust provincial boundaries in order to bring all Bengali-speaking people under one and the same provincial administration."

In moving his resolution, Mr. Basu traced the genesis of the question since the days of partition which was effected "to emasculate the Bengali-speaking population by dividing it." but when it was annulled by the King in 1911, they were promised that the redistribution of boundaries would be taken up shortly. Coming to the more recent date, he referred to the report of the Simon Commission recommending the setting up of a commission to deal with this question before the advent of constitutional reforms. But it was curious to find, proceeded Mr. Basu, that the Government of India decided upon it to postpone the boundaries question after the new constitution had started working. Speaking later in the Council of State in connection with the very same question, Sir Brajendra Lal Mitter on behalf of the Government laid down the principles that such questions would

be taken up if there was definite expression of opinion by the public and secondly, that such expression of opinion should be vocal through legislatures.

Discussing the resolutions on its merits, Mr. Basu said that it was now admitted on all hands that one of the cogent reasons for the unification of people under one administration was their linguistic affinity, and so far as the Bengali speaking people were concerned, they were united by the great bond of common language which no difference of religion could break. Proceeding, Mr. Basu pointed out that 66 p.c. of people in Cachar, 93 p.c. of people in Sylhet, 69 p.c. of people in Goalpara, 66 p.c. of people in Manbhum, cent per cent. people of Dhalbhum, and a large portion of the people of Santhal Parganas and Purnea spoke the Bengali language, and said there was no earthly reason why these people were denied the amenities which were enjoyed by the people of Bengal, and after all their political rights in those provinces were negligible. Mr. Basu thought that if these districts on the borders of Bengal were brought together under one administrative unit, they would get the income from the rich mineral wealth which would go a long way to solve their financial question. Finally Mr. Basu assured the Mahomedans that even if the people of all these districts were brought together, it would not give a majority to the Hindus.

THE DEBATE

Mr. Tamizuddin Khan in opposing said that there might be affinity between the people of Bengal and those on the border districts linguistically, but ethnologically they were different. Taking language as a criterion, he pointed out that those people spoke not pure Bengali but mixed language. But the most important consideration in this connection was the wishes of the people concerned whom they were going to bring together. He doubted if they were at all anxious or equally anxious to come and join them.

Mr. J. N. Gupta, supporting, said that if they could get the income from the mineral products, he thought, their income would be augmented. It was an acid test for both the Government and the Mahomedans to act up to their profession and by supporting the motion show that they cared more for the interests of the people than anything else. For, after all these districts once belonged to them but had been artificially separated, from them

Khan Bahadur Azzizul Huq said that he wanted to be convinced from the financial point of view that the amalgamation of these districts would not involve them into much more administrative expenses, and he therefore suggested that the local government should first determine whether such redistribution would help them or not, before making the recommendation for a commission.

Mr. Fazlul Huq, while agreeing with the broad principle laid down by Mr. N. K. Basu that all Bengali speaking people should be brought together, thought that the time chosen was inopportune. He however assured all that his community was not swayed by any consideration of majority in dealing with this matter. But he objected to the resolution on firmer grounds. They were now on the eve of a momentous change, and if this question was raised, he was afraid, it would lead to the postponement of the inauguration of the reforms, which was not certainly desirable. He therefore suggested that after they had started with provincial autonomy, they might at leisure take up this question of redistribution of boundaries.

Rai Bahadur K. C. Banerji, Messrs. Satya Kinkar Sahana, Satyendra C. Das, B. C. Chatterji, Shanti S. Roy and the Raja of Nashipur also participated in the debate.

GOVERNMENT POINT OF VIEW

The Hon. Mr. Reid, explaining the view-point of the Government in the matter, said that the course of the discussion showed the difficulties and

the dangers which might arise in an attempt to redistribute the provincial boundaries. At least half a dozen considerations had been imported into the question and they were, linguistic, cultural, ethnological, administrative, geographical and two other considerations, sentimental and economic. He however thought that the recommendations of the Statutory Commission had not been properly quoted. A perusal of that report showed the manifest disinclination on the part of the Commission to commit themselves very far and their definite realisation of the difficulties and dangers which might involve them in tampering with the provincial boundaries or upsetting the status quo. Continuing, Mr. Reid said that redistribution of the provincial boundaries on a comprehensive scale would mean the throwing of a number of important questions into the melting pot. It would create further political turmoil. Further a decision on this question must require time and Mr. Reid was afraid that a comprehensive boundary commission was going to delay the new constitution. Further, with the coming of the new constitution, it was certainly desirable, if not advisable, that those who were going to work it should do so in harmony. But if they were going to start this new controversy, it would not surely help the working of the constitution. It was a pity, he added, that the financial question had been imported into the discussion. Government, he concluded, were not defending the existing provincial distribution as an ideal one, but they thought it was not the time to raise the question for the very practical reasons he had stated.

RESOLUTION LOST

The Council defeated Mr. N. K. Basu's resolution by 60 votes to 41.

PRIMARY EDUCATION AMONG DEPRESSED CLASSES

In connection with a resolution of Mr. Mukunda Behari Mullick, asking for the provision of Rs. 2 lakhs to spread free primary education among the backward classes, the Education Minister expressed the desire of the Government that they were anxious that the Primary Education Act did not become dead. But in view of the present financial crisis they could not enforce the Act. Government were, however, trying to bring it into operation in a partial form as soon as funds permitted and the material condition of the people improved.

The resolution was however withdrawn.

AUGUST 4, 1932.

IMMORAL TRAFFIC BILL

Mr. J. N. Basu moved the reference of the Bengal Suppression of Immoral Traffic Bill to a Select Committee consisting of the Hon. Member in charge of the Police Department, Mr. N. K. Basu, Mr. S. C. Roy Chowdhury, Moulvi Tamizuddin Khan, Haji Badi Ahmed Chowdhury, Mr. W. C Wordsworth and the mover.

In moving the reference of his Bill to a select committee, Mr. J. N. Basu said that after careful consideration of the conditions that led to the development of traffic in women, it had been found that one of the methods of dealing with the problem was to take away facilities for carrying on the traffic. Brothels rendered necessary the supply of inmates and in this country, particularly in this province, that had led to the growth of procurers who purchased little children and sometimes grown-up girl and women for the purpose of carrying on the traffic. For the keeping of brothels, the first necessity was to find a house, and the Bill started with the provision which aimed at the discontinuance of the house by owners or lessees for

the purpose of carrying on the traffic. The Bill also aimed at stopping other methods employed for the purpose of carrying on this traffic, namely, solicitation, procuration, importation and detention of children and minor girls and the encouraging of seduction or prostitution of girls. The Bill provided for the proper custody of minor children rescued from these brothels and for the deportation of foreigners when found engaged in carrying on this traffic. Proceeding, Mr. Basu said that they should no longer remain indifferent to it but should provide means to stop this lucrative form of human slavery which ruined the lives and future of girls and women.

DEBATE ON MOTION FOR SELECT COMMITTEE

Mr. N. K. Basu characterised it as a hasty and ill-drafted piece of legislation and a measure of a visionary. It was said that the object of the Bill was to suppress prostitution rather than abolish it as quickly as possible. But Mr. Basu thought that the Bill would do nothing of the kind. Proceeding, he said, "If the Bill with all its provisions is passed, it will drive the vice underground and spread to other parts of the province. I do not understand how it is possible for any legislature to say that men and women will not exercise their sexual instinct. And we know that in modern times on account of economic conditions it is not possible for many men to get married. If these people are not allowed openly to exercise their passions, the effect on the society will be tremendous." Mr. Basu also explained that their own social customs had a part to play in the matter. Most of these poor girls who were abducted had no place to go back. They had by their own social system actually encouraged prostitution. He added, "You give them no means of subsistence, no opportunity to come back to society, and live as respectable women, and then you try to hound them out. Is that fair?" Proceeding, Mr. Basu said that the powers proposed to be given to the police in this Bill were tremendous and in his estimation the danger from the police would be very much greater than the danger from the prostitutes. There were at present 20 000 prostitutes in Calcutta. What they were going to do with them; where they were going to find home for them and what they were going to do with the babies of these prostitutes.

Mr. W. C. Wordsworth thought that it would not be right for them to reject the motion for reference to the Select Committee. He agreed that it would be dangerous to give powers to certain police officers, as laid down in the Bill. He would go further and say that he would not give those powers to the greatest saints among them. He contended that prostitution was not to be explained only in terms of uncontrolled or natural desire or economic necessity or ancient custom. All enlightened nations and Councils must do what they could to fight this deliberate evil and prevent men and women from deliberately imposing this hideous form of slavery on helpless girls.

Khan Bahadur Abdul Momin said that he was aware of the defects and deficiencies of the proposed bill. But they should not quarrel over the details and particular provisions of the bill at this stage. It was their duty to accept the principle of the bill.

Moulvi Abul Kasem thought that the methods proposed in the bill would not achieve the object it had in view. But if they wanted to show to the world that they were alive to the menace by placing a bill on the Statute book, they could do so, but that would not eradicate the evil. He submitted that the only way to deal with this evil was to create a strong public opinion against it which alone could effectively deal with the menace. Without it, no amount of legislation would prove to be of any avail. He thought that the bill, if passed, would only drive the evil underground.

Dr. Haridhan Dutt doubted if the objects of the Bill were going to be fulfilled by the effects of the administration of the Bill. The police, Dr. Dutt pointed, had sufficient powers under the existing Act but his grievance against the police was that those powers had not been utilised. There were 2000 minor girls in brothels in Calcutta but only 200 or 250 had been rescued during the last ten years. Other serious questions were as to where to find accommodation for the rescued minor girls, what to do with the bad characters that would be let loose on the society. He, however, wanted that the Bill should be given serious consideration and he would not, therefore, oppose its reference to a Select Committee.

Rai Bahadur Satyendranath Das said that the Bill touched only the fringe of the problem and would make no substantial change in the situation.

Dr. Naresh Chandra Sen-Gupta thought that the right way to approach this problem was not by merely penalising these things but by a great and constructive programme of social reform which would socialise the impulses which were at the root of this ruinous institution. Proceeding on the subject, Dr. Sen-Gupta pointed out that there was at the present moment a law in operation in Calcutta which was passed as far back as 1923 and which embodied a large number of the provisions of the present Bill with reference to the city of Calcutta, but very little—absolutely nothing—had been achieved in the way of eradicating the evil of trafficking in women. The reason was not the efficiency of the police. Unless there was penal legislation coupled with a great social effort for the purpose of reclamation of all those women and for the purpose of making trafficking in women unprofitable, they could not hope to abolish this pernicious institution. The question was how they were going to solve the economic problem which underlay the great social evil. If they wanted to tackle the problem successfully, they must attack the motive force behind the evil. Unless some such thing was done, mere penal legislation would be absolutely innocuous.

The debate was adjourned until the next day.

AUGUST 5, 1932.

IMMORAL TRAFFIC BILL CONTINUED

The discussions on the Bill introduced for the suppression of immoral traffic were taken up.

FURTHER DISCUSSIONS ON THE BILL

Dr. N. C. Sen-Gupta explaining his opposition to the Bill, said that an appeal had been made to him in the name of outraged womanhood to support the bill, but it was because he felt for womanhood that he opposed the bill. His complaint was against the fundamentals of penalising social evils where moral resources were wanting.

Mr. K. C. Roy Choudhury, supporting the bill, said that if by this bill they could not stamp out the evil, they could at least strike terror into the hearts of those who carried on traffic in women and children.

Khan Bahadur Azzizul Huq, supporting the bill, said that the bill aimed at rescuing minor children from brothels. Certainly minor children were the property of the nation and the society, and they had every right to interfere with a view to bring them up in proper moral atmosphere.

Mr. B. C. Chatterjee, Mr. P. N. Guha and Mr. Ananda M. Poddar also supported the motion for reference to the committee.

The Hon. Mr. Reid said that in not opposing the reference of the bill to the Select Committee they did not imply it to be understood that the

bill, as drafted, was bound to achieve the objects it set out. The bill, in his opinion, was certainly ambitious and its objects were comprehensive, and it was doubtful whether legislation could achieve all that the bill had in view. Government, he added, did not oppose reference but they kept an open mind as to how far the Bill would require modification in the Select Committee so as to make it workable.

REFERENCE TO SELECT COMMITTEE PASSED

The bill was referred to a Select Committee consisting of the Hon. Member-in-charge of the Police Department, Messrs. N. K. Basu, S. C. Roy Chaudhury, Tamizuddin Khan, Haji Badi Ahmed Chaudhury, Messrs. W. C. Wordsworth, J. N. Basu, Abdul Momin, Abdul Hakim, the Raja of Nashipur, and Messrs. Azzizul Huq, K. M. Roy, P. N. Guha and J. N. Gupta.

MINOR BILLS

The Council passed the Cess Amendment Bill of Mr. K. M. Roy.

The Council decided to recirculate the Bengal Disorders Compensation Bill of Rai Bahadur Satyendra Kumar Das. The object of the bill is to compensate sufferers from acts of unlawful assemblies including those of a communal nature.

The Council then decided to circulate the Mela (fair) Sanitation Bill of Khan Bahadur Azzizul Huq for eliciting public opinion. The Bill aims at making better provisions for public health and sanitation in the presidency of Bengal.

The Council agreed to refer the Waqf Bill of Maulvi Abdul Chaudhury to a Select Committee with instructions to submit their report after consulting public opinion as soon as possible. The object of the bill is to recover and administer the Waqfs in Bengal for promotion of education, sanitation, etc.

AUGUST 6, 1932.

CONDEMNATION OF TERRORIST OUTRAGES

The Hon. Mr. R. N. Reid, Home Member, condoled the death of Mr. Ellison, who was shot at by an assassin on July 29, and who succumbed to his injuries on August 5, and referred to the attempt, happily unsuccessful, made on the 5th August on the life of Sir Alfred Watson.

CONDEMNATIONS FROM ALL SECTIONS OF THE HOUSE

Mr. J. N. Basu, associating himself with the sentiments expressed, said that the cult of secret murder was an attack on the best and noblest ideals inherited by the Hindus and the Moslems alike. This cult of secret assassination destroyed the high ideals for which their greatest men lived and died. It debased their best ideals making them revert back to methods of barbarism. "Let the spirit of the great teachers," he said, "pervade this land again and demonstrate to the world that the achievements of trust and goodwill were of real and lasting value and that India with all her agony of the past should go forward on the straight path, if necessary, through sorrow and suffering. Those that deflected from the ideals of good-will and trust were not friends but enemies of this country."

Mr. W. H. Thompson on behalf of the European Group, said that the feeling, that was uppermost in the minds of the European members, was that Mr. Ellison died for England just as dutifully as Nelson died at the Trafalgar.

Khan Bahadur Azzizul Huq on behalf of the Mahomedan Group asked the House to realise that the problem was becoming serious and complex every day.

Mr. N. K. Basu, while joining with the previous speakers in condemning the outrages, remarked that one did not know how to combat these insensate crimes. Nor did he know whether their denunciation would serve any useful purpose. He suggested that both Government and public men should combine and devise some means to suppress this movement.

The Hon. President (Raja Manmatha Nath Roy Chowdhuri of Santosh) said:—" Nationalism and terrorism are, to my mind, conflicting and contradictory. The one is the negation of the other. Terrorism, in my considered opinion, has no place in politics The terrorists do not profess or pursue politics. They do not constitute any party within the meaning of constitutional law."

DEMAND FOR SUPPLEMENTARY GRANTS

GRANT FOR JAILS

The Hon. Nawab K. G. M. Faroqui, Khan Bahadur, moved for a supplementary grant of Rs. 1,68,202 for constructional work in connection with five different jails in Bengal. The Hon. Minister pointed out that the sum of Rs. 71,713 was wanted in connection with the 2nd Additional Speical Jail, Dum Dum, Rs. 42,830 for reconstruction of the Mymensingh Jail, Rs. 15,659 for structural alteration in the female ward of the Berhampore Jail, Rs. 19,700 for construction of cells in the Rajshahi Central Jail and Rs. 18,300 for construction of temporary sheds in the Dacca Central Jail, totalling a demand for grant of Rs. 1,68,202.

Moving a token cut in the demand Dr. Naresh Chandra Sen-Gupta said that his intention was to draw attention to, and express disapproval of, " the wholly insufficient accommodation and conveniences in the Dum Dum Special Jail and overcrowding of prisoners in Jails." Proceeding Dr. Sen-Gupta said that immediately after the offensive against the Civil Disobedience movement was started, a large number of prisoners were dumped into the Dum Dum Special Jail for whom there was wholly inadequate accommodation in that jail. Latrine accommodation was more than half Contractors who were entrusted with the supply of food for the prisoners could not supply what was needed and very poor substitute had to be given to some of the prisoners. These were, he pointed out, some of the grievances of the prisoners. Concluding, he said that Government ought to have an idea of the extent of accommodation that would be needed when the offensive against the Civil Disobedience movement was started and ought to have made adequate arrangements for accommodation and for prison conveniences.

Dr. Sen-Gupta's cut motion was rejected without a division and the House granted the demand as originally moved by the Hon. Minister.

On the motion of the Hon. Nawab K. G. M. Faroqui Khan Bahadur the Council made a further supplementary grant of Rs. 64,5003 for works in connection with the District Jail, Mymensingh

MISCELLANEOUS GRANTS

On the motion of the Hon. Nawab K. G. M. Faroqui Khan Bahadur, the House sanctioned about Rs. 3,000 during 1932-33 on account of the formation of a separate Legislative Council Department. On the motion of Hon. Mr. B. P. Singh Roy, the Council granted Rs. 80,000 to the Calcutta Hospital Nurses Institution for additional help to the Institution.

MINOR BILLS

The Council passed the Bengal Opium Smoking Bill of 1932. The object of the Bill is to control and regulate the practice of smoking opium, and it is intended to register the existing opium-smokers in Bengal within a short time after the Act had come into operation, after which no further

registration will be allowed. The registered opium-smokers will be granted license on payment of a fee.

On the motion of Lt. B. P. Singh Roy, Minister, the Council referred to a Select Committee the Opium (Bengal Amendment) Bill of 1932 which aimed at checking and controlling the smuggling of opium.

AUGUST 9, 1932.

SUPPRESSION OF TERRORIST OUTRAGES BILL

The Hon. Mr. R. N. Reid moved for reference of the Bengal Suppression of Terrorist Outrages Bill to a Select Committee consisting of (1) Rev. B. A. Nag, (2) Khan Bahadur Maulvi Azzizul Haque, (3) Rai Sahib Sarat Chandra Bal, (4) Babu Jitendra Lal Banerjea, (5) Raja Bhupendra Narayan Singh Bahadur, of Nashipur, (6) Rai Bahadur Kamini Kumar Das, (7) Mr. W. H. Thompson, (8) Maulvi Abul Kasem, (9) Khan Bahadur Maulvi Muhammad Abdul Momin, (10) Mr H. J. Twynam, and (11) the mover, with instructions to submit their report within a week from the date on which his motion is carried in Council and that the number of members necessary to form a quorum shall be five.

HOME MEMBER'S EXPOSITION

In moving for leave to introduce the Bill, the Home Member explained why these special measures were necessary The revolutionary conspiracy was always before them and the overt acts which resulted from that conspiracy were only too frequently thrust upon their notice.

The Government was justified in viewing the situation as a grave one which required special measures to combat it Crime of an abnormal nature and on an abnormal scale must be met by abnormal measures. The Hon. Mr Reid opined that the ordinary law could not cope and was not designed to cope with a revolutionary conspiracy whose ultimate object was the subversion of law and order and whose weapons were the revolver, the bomb and the dagger Explaining the history of the Ordinance of 1931 he stated that Bengal Emergency Powers Ordinance of 1931 was called for to try and evict the absconders of the Chittagong Raid Case from their hiding places and that it was not renewed when it expired on May 31, 1932 as the Special Powers Ordinance issued on January 4, 1932 was considered sufficient for the purpose Mr. Reid pointed out that the present Bill would expire when Bengal Criminal Law Amendment Bill would expire

Continuing, Mr. Reid said, "As to its principle, its principle is to take special powers to meet a special situation It is said that enactments such as these are merely piling repression on repression and are evidence of the bankruptcy of Government's policy That I deny. It would have been evidence of bankruptcy if Government had thrown up its hands and said they could do no more. If existing measures have failed or are inadequate, it is their plain duty to try other measures and to go on trying This they are doing and will do. It is a duty they owe to the public and to themselves and one which they have no intention of avoiding. The Government must take up a challenge to its authority, and to its existence such as has been flung down by the terrorists In taking every means it can to deal with this menace to society, it is taking means to preserve not only its own existence but the existence of the future Governments of this country. The terrorists and their organisation will not disappear, as if by magic, the moment law and order pass into the hands of responsible Ministers. Knowing that, the existing Government must do all in its power to ensure that the administration they are handing over is one armed with all the powers that their experience has shown to be necessary to prevent this revolutionary conspiracy from getting the upper hand."

Concluding the Home Member assured that no law-abiding person need be frightened, just as the terrible Ordinances had not led to any ordinary peaceful citizen being put to real inconvenience.

DISCUSSIONS ON THE BILL

Mr. N. K. Basu opposed the Bill as he thought it was not the right remedy. The Bill was an anathema to lawyers trained in British jurisprudence. The increase in the crime was due, not only to the Ordinances, but the so-called attempt, to restore the prestige of the Government. Referring to Mr. Prentice's speech in the last session where the Home Member admitted that question of unemployment among the *Bhadralog* class had something to do with the crime, Mr. Basu asked, apart from the promulgation of the Ordinances, what steps the Bengal Government had taken to relieve unemployment. The Bill, he concluded, was an insult to the legislature of a country where the British system of jurisprudence prevailed.

Mr. W. H. Thompson, supporting the measure on behalf of the European Group, said that there were a number of people among the caste Hindus of Bengal, at least a very large section, who sympathised with the terrorists. Explaining why they should not reject the Bill, he said, that they could not expect to get to the bottom of such a far-reaching conspiracy and eradicate it in a short time. These Ordinances could only do their work by the cumulative effect of the pressure which it was possible by the use of the Ordinances to bring on the revolutionaries. His other reason for supporting the measure was the Chittagong Armoury Raid which was unique in their history in Bengal and he submitted that to allow the development of the gangster system in Bengal was a matter of very serious danger to the State.

Mr. B. C. Chatterji said that mere denunciation of the terrorists would not deter men determined to take the lives of others from going on with their programme. It was difficult, in his opinion, to deal with men who put poison in one hand and revolver in another. It was only by the introduction of a greater measure of liberty that there would be a change in the situation. For, the moment it was found that the reality of power had come into the hands of the people, the Swarajists would enter the Council and would have to deal with these men, if they still existed. And a time might come when they would have to face the bullet, but let them first have the opportunity and privilege of facing it. He thought that the evil could be remedied by the grant of provincial autonomy immediately. If they had no such intention, then the only course for the Government was to introduce martial law.

Mr. J. L. Banerji said that so far as public opinion was concerned it was not definitely condemnatory of these outrages. On the other hand, he submitted, there was a certain measure of sympathy for the terrorists. Mr. Banerji would condemn the terrorist movement, because it was anti-social, and subversive, not simply of law and order, but of social and civilised existence. He condemned it because of its fearful reaction upon their national character. If even under the Swaraj regime, the judge, the magistrate and the police could not act according to their conscience because the cloud of the assassin's menace was there, then he would bid farewell to all reforms. It was because he was an admirer of liberty that he condemned this movement. Mr. Banerji proceeded to say that economic ground had nothing to do with this movement as had been suggested by Mr. N. K. Basu. It was an insult to the intelligence of the terrorists themselves to say that it was poverty which goaded them to their activities. The terrorists, Mr. Banerji said, had an ideal and a philosophy of their own. If there had been a challenge by this movement, it was a challenge not to this or that government but to government in the abstract. Crimes must

be punished. The situation being abnormal, abnormal measures were called for. He would, however, prefer that Ordinances should be promulgated again to deal with the situation, for they knew such Ordinances were not laws and they were temporary. But if they wanted to pass a law, there was no reason why the Bill should not be circulated, for the Ordinances would not expire before December. The bill should be circulated but in case it went to the Select Committee, its provisions required drastic alterations.

Mr. C. G. Cooper said that because there was lack of public opinion, terrorism still flourished in the land. As honest Indian public opinion did not exist, everyone of his group supported the Bill before the House tor its reference to the Select Committee.

Mr. J. N. Gupta denied the charge made by Mr. Thompson that a very large section of the caste Hindus sympathised with the terrorists. Proceeding, Mr. Gupta pointed out that whilst they realised that the whole society was faced with a great danger, they could not overlook the fact that the weapon with which the Government proposed to meet the menace had so far failed to achieve the object it had in view. Since 1905 when terrorism first made its appearance in Bengal, the Government of Bengal took upon themselves powers, both extraordinary and ordinary, to meet the situation but after thirty years the same thing appeared in a much more dangerous form than it was before. He thought that the mere fear of Ordinances and extraordinary measures had no deterrent effect of the mind of persons who went out with revolver in one hand and poison in the other They must find some other remedy. He pointed out that Government must realise the immense importance of public opinion in this campaign against terrorism But Mr Gupta enquired how the Government could except such co-operation when they had locked up in prison men who had absolutely nothing to do with terrorism but who could help the Government in fighting this menace. Mr. Gupta's constructive suggestions were that terrorism should be segregated from the Civil Disobedience movement secondly, that an Indian Minister should be placed in charge of Law and Order and thirdly, that Government should at once take steps to place before the young men a proof of Government's genuine desire to help them to wean them away from their present path and to find for them honourable avenues for employment Government must at once set apart money for the purpose of making experiments in every division of the province by starting farms and industries by which young men could earn honest livelihood.

Mr Satish Chandra Roy Chowdhury urged that an elaborate inquiry should be undertaken into the working of the measures that had been adopted in the past and were now in operation to meet the terrorist menace so that they could go into the hidden causes of the terrorist outrages and also that they might be able to know the kind of effect they had on the terrorists and the general populace.

Mr. Syamaprasad Mukherjee stated that he was not convinced that that sort of measure was the proper remedy for the disease. He was afraid that the very drastic powers given to the sub-ordinate officers of of the Government was likely to be misapplied and the effect would be, as had been in the past, that indirectly Government would help to increase the number of persons associated with this movement. Regarding public opinion to fight the terrorist organisation, Mr. Mukherjee regretted that the Government did not and had not cared for public opinion to stand by them. He cited that in spite of a strong public opinion on the Chittagong incidents in September 1931, the Government did not take the public into confidence, nor did they disclose the report of the Official Enquiry Com-

mittee. He said that the clapping of leaders behind prison bars and the detention of thousands of young men without trial indicated that the Government had no respect for public opinion.

Dr. Naresh Chandra Sen Gupta said that Government must win the people to their side. By following the policy that it had done in the past the Government had, he thought, added to the list of discontents. Government must convince the people tnat they meant to do good to the country and were trying to do their best for the porpose. An indispensable part of their programme, he said, would be to improve the economic condition of the people, not because these people have become terrorists, because they were hungry but because the prevailing economic distress and the failure and indifference of the Government had been creating more discontent and spreading much further the spirit of despair out of which terrorism was born.

The Hon. Mr. Reid, opposing the motion for circulation, failed to see what useful purpose would be served by circulating the bill for the purpose ot eliciting public opinion when the House composed of representatives of the people and reflecting public opinion of the province had expressed its views on the bill.

The Home Member announced that a statement would be made during the current session with regard to the Chittagong question.

MOTION FOR REFERENCE TO SELECT COMMITTEE ADOPTED

The motion to circulate the bill for eliciting public opinion was rejected by 63 against 26 votes and the motion to refer the bill to a Select Committee to report within a week was carried by 72 against 20 votes.

AUGUST 10, 1932.

FINANCIAL BURDEN ON BENGAL

Rai Bahadur K. C. Banerjee moved: "The Council recommends to the local Government to convey to the proper authorities the opinion of the Council that "the recommendations of the Federal Finance Committee regarding Bengal are wholly unsatisfactory and unacceptable and that this province should receive its full share of the income-tax receipts from the province and the entire proceeds of the export duty on jute." In moving the special motion, Rai Bahadur K. C. Banerjee said that Bengal had been bled white and there had been already huge economic wastage of her men and things for want of revenues. If Bengal hoped to recover, she must have her income tax and jute export receipts. Constitutional reforms meant nothing to her unless she got her due share and it was only meet and fair that she should not be exploited for the bnefit of other provinces

DISCUSSIONS ON THE RESOLUTION

Mr. H. H. Burn, in supporting the motion, said that the new reforms could not operate successfully unless they started on a sound financial basis. Their demand was for financial justice. The "prospectus" offered by the Federal Finance Committee to the people of Bengal, he said, was not one which would attract the public, because it did not give adequate return for the contributions asked for.

Mr. J. N. Basu said that the Committee was hesitating all the time it dealt with the problem of Bengal and it was no wonder that they had not succeeded in arriving at a solution. He remarked that the Committee did not appreciate the problem, nor had the facts been properly investigated. They should make it clear that the policy that had been followed with regard to Bengal in this matter was unjust. They were prepared, he said, to make their contributions, but they refused to be squeezed in this manner.

Khan Bahadur Azzizul Huq, on behalf of the Moslems, supporting said that, in his opinion, the terrorist had gained in his support due to lack of funds of Government. Apart from the question of justice or injustice, their needs should be considered and satisfied on the basis of minimum requirements so far as Government was concerned.

Mr. B. C. Chatterji, Mr. Ananda Mohan Poddar, and Rai Bahadur S. N. Das, Mr. J. N. Gupta and Dr. N. C. Sen Gupta also supported the resolution.

GOVERNMENT VIEWS ON THE PROBLEM

The Hon. Mr. J. A. Woodhead, explaining the views of the Government in the matter, said:—"During the last 11 years the Local Government have never accepted and have never ceased to protest against the treatment which the province received under the financial settlement of 1921. Not only have they never ceased to protest but they have repeatedly urged the necessity for a revision of that settlement with the object of ensuring to Bengal a revenue adequate to her needs and proper development.

REPRESENTATION TO INDIAN STATUTORY COMMISSION

In their letter communicating their views on the financial proposals of the Indian Statutory Commission, the Government of Bengal wrote: "It is of paramount importance for the success of the new constitution that Bengal should start with fresh and increased resources. If the financial arrangements under the new reforms only result in stagnation, and provide no margin for development beyond the present inadequate standard, they fear that the success of the new constitution will be imperilled at the outset."

REPRESENTATION TO FEDERAL FINANCE COMMITTEE

The Finance Member then mentioned that in making their observations on the report of the Federal Finance Committee, the local Government, once again drew attention to the persistent and unanimous demand of Bengal for the revision of the Meston settlement and emphasised that the problem could not be approached from the angle of distribution of a possible general surplus among the provinces in relation to their present financial position and the probabilities of the immediate future but that it must be approached so far as Bengal, at any rate, was concerned, from the much wider angle of the paramount importance of ensuring to Bengal not merely a balanced budget but a practical working margin which would enable the new Government to develop the beneficial and national building departments. Continuing, the Finance Member said, "The Committee while appreciating the difficulties through which Bengal is passing could not believe that the Legislative Council and the local Government had no means at their disposal, whether of economy or of increased taxation, to reduce a deficit of the magnitude of 240 lakhs and in the hope that measures would be devised to meet the situation felt justified in reducing the anticipated deficit by 40 lakhs to 2 crores. As regards increased taxation the Committee themselves were not hopeful. They surveyed the possible sources of new taxation and the conclusion they come to was that such provincial taxes as appear to be within the sphere of practical politics in the immediate future cannot be relied upon to yield any substantial early addition to provincial revenues. In regard to economy it would have been of assistance to the local Government if the Committee had afforded at least some indication of the directions in which they considered this possible." Regarding the claim put forward by the Government of Bengal for the export duty on jute, the Committee dismissed it on the ground that it raised highly controversial questions of principle and would delay "pro tanto" the remission of the provincial contributions. Proceeding, the Finance Member

said, "That is a proposition we have been unable to accept. We have endeavoured to show that in principle this duty should be classed as a provincial source of income and have urged that if this principle is established the fact that the remissions of the contributions will be delayed "pro tanto" by the concession of this claim, cannot be held a reasonable ground for refusing it. At the same time it is not possible to disregard the present financial position at the centre and the attitude we have adopted is that, provided the principle is accepted, it may be reasonable for the local Government to forego for a time a certain portion of the proceeds of the duty, on the understanding that the proportion surrendered should be a steadily diminishing figure.

BASIS OF CONTRIBUTIONS

"The Sub-Committee of the Federal Structure Committee presided over by Lord Peel suggested that the basis of calculating the contributions to be made by the Provinces to the centre out of the proceeds of the taxes on income need not necessarily be the same as that on which the income tax proceeds are distributed, and that differentiation between the two methods might be used as a means of partially adjusting the burden on provinces which are specially hard hit by the existing distribution of the sources. The Federal Finance Committee unfortunately were driven to adopt the expedience of the Meston Committee, that is to say, to assess the contribution in proportion to the provinces' share of income tax. We have urged that the Committee's proposals perpetuate and even aggravate the injustice of the Meston settlement and result in the anomaly that the province which admittedly has the largest deficit is expected to make the heaviest contribution. The evolution of an equitable allocation is a difficult problem but we have suggested that such a distribution can only be secured if the total and not merely the additional resources of the various provinces are taken into account. The Committee have proposed that the income tax receipts should be distributed on the basis of residence. In view of the great difficulties inherent in the more logical basis of origin, we have taken the view that the Committee's proposal should be accepted. There are however two points on which we are not in agreement with the Committee. The first is the proposal that the tax paid on the salaries of Federal officers should be "federal" and the second is that the proceeds of the taxes on income other than personal income should be distributed on the population basis. As regards the first, we have urged that there is no reason, if residence is adopted as the basis of distribution, why the tax paid on the salaries of Government servants should be treated differently from that paid by other salaried residents in the provinces. In regard to the second, we have maintained that the distribution of the tax on income other than personal income on a population basis rests on no equitable besis, for its adoption will clearly be to the disadvantage of the industrial provinces. There is no reason to believe that the amount of this portion of the taxes on income attributable to industrial province is the same as that attributable to an agricultural province with the same population. We have suggested that this portion should be distributed in exactly the same manner as the proceeds on personal income, since it is more reasonable to support that provinces with the larger share in the proceeds which can be directly allocated are responsible for a similar share of that which cannot.

BURDEN DUE TO DEFICITS IN OTHER QUARTERS

"We have also drawn attention to the burden placed on the provinces by the deficit in the North-West Frontier Provinces, the Chief Commissioners' provinces, and the centrally administered areas by the settlement

with the States and by the separation of Sind. We are naturally particularly concerned with the proposal that the expense attaching to the separation of Sind should be met by reducing the proceeds of income tax available for distribution to the provinces and the proposal that the separation should be financed by a method which aggravates the situation in Bengal is one that we find it impossible to accept.

"Finally we have suggested that the new Government should not be saddled with the current overdraws and have sought to justify this special treatment on grounds of political expediency as well as justice."

The resolution was carried.

BENGAL MUNICIPAL BILL

Moving that the Bengal Municipal Bill as amended by the Select Committee be takn into consideration, Lt. B. P. Singh Roy, Minister, explained the principle which guided the Committee.

CHANGES IN THE SELECT COMMITTEE

The Select Committee followed the principle of removing the internal control of Government through Divisional Commissioners from the affairs of the municipalities to limit it to the mere external control of the local Government where absolutely necessary to secure a common standard of civic administration and to protect it from being dominated by party factions or cliques or vagaries of influential individuals. A spirit of non-interference with the external management had inspired most of the changes proposed by the Select Committee. Another important principle which had been followed by the Select Committee was to bring the municipalities directly in contact with the ministry of Local Self-Government and not through local officers.

The most important change which the Select Committee had recommended was enfranchising the womanhood of Bengal. Men and women had been placed on the same footing. The widest franchise that had ever been experimented in this country had been recommended making every rate-payer and licensee a voter, giving women the same right to stand for election as commissioners as men and lowering the educational qualifications for a vote from intermediate to matriculation standard.

Some power of general supervision and control, he said, had been reserved to the local Government. In extending the franchise, said the Minister, the Select Committee tried to anticipate the impending constitutional changes and he claimed that the Bill would be in consonance with the new political orientation. On the question of franchise, the Bill went beyond the recommendations of the Indian Franchise Committee except with regard to educational qualifications and as adult franchise had not been considered to be a practical proposition yet, one could go no further than this Bill did.

547 CLAUSES & 2,000 AMENDMENTS

The Bengal Municipal Bill as emerging from the Select Committee contained 547 clauses and more than 2,000 amendments were tabled for discussion in the Council.

MOTION FOR RECOMMITTAL TO SELECT COMMITTEE LOST

Mr. S. N. Roy moved that the Bill be recommitted to the Select Committee for further consideration and report by the end of December. The motion was however lost and the House agreed to take the Bill into consideration.

AUGUST 11, 1932.

BENGAL MUNICIPAL BILL CONTINUED

The Bengal Legislative Council considered the Municipal Bill clause by clause. An interesting discussion took place on the question as to whether the system of nomination should be continued in the municipal administration of the province.

The Bill provides that the system of nomination should be retained and three-fourths of the total number of Commissioners should be elected and the remaining one-fourth be appointed by the Local Government.

MOTION FOR ABOLITION OF SYSTEM OF NOMINATION

Mr. S. N. Roy moved that all the Commissioners of a Municipality should be elected. He said that the time had come when the system of nomination should be done away with.

Dr. Haridhone Dutt, opposing, referred to the Calcutta Municipal Act of 1923 which provided for nomination of no less than ten Councillors.

Mr. J. L. Banerji characterised the system of nomination as a pernicious system. The "flimsy ground" urged for its retention was that it would ensure representation of minorities. But in fact nominated members did not represent any minority. They represented none but their "godfathers,—the nominators," and nobody else excepting themselves.

Mr. N. K. Basu characterised the system of nomination as "absolutely out of date."

Dr. N. C. Sen Gupta supporting said that the only justification that one could think of for retaining the system of nomination was that it served as an instrument by which some district officers sought to maintain their stranglehold over the municipalities

Mr. Abul Kasem pleaded that the system of nomination would ensure the return of experts in the person of civil surgeons and engineers who, being busy men, would not like to contest an election.

Mr. W. H. Thompson remarked that this Act would be administered not by the present Government but by the future Government, and it would be short-sighted to limit the powers of the new Government to nominate certain Commissioners.

Khan Bahadur Azzizul Huq opposed the amendment and thought that in the new order of things this power would not be used in a tyrannical way as it had been done in the past. It was not advisable, he said, to do away with the system of nomination, and he thought that members of the House would be glad to be nominated rather than to bear the expenses of election.

Dr. Amulya Ratan Ghose said that the system of nomination would prove as bad in future as it was now.

Rev. B. A. Nag referred to the 'miserable plight' of elected members who always had their eyes on the next election and they did things which they themselves did not support in private. He supported the system of nomination as he thought there were many men who for the sake of age or other things did not like to contest an election.

The Hon. Mr. B. P. Singh Roy, Minister, opposing, said that they had to do it in the interest of the minorities. He repudiated the allegation that Government wanted to retain the system of nomination in their interest.

The amendment of Mr. S. N. Roy was lost by 75 against 20 votes, four members not voting.

MOTION FOR RESTRICTED NOMINATION

Moving his amendment for the reduction of the proportion of nominated members, Mr. J. L. Banerji said that nomination was an evil.

The Minister opposed the amendment which was lost by 71 votes against 21.

OTHER AMENDMENTS

On the motion of Mr. J. L. Banerji the Council decided to delete the words "through the Magistrate" so as to enable a rate-payer to make a direct representation to the Minister, in charge of Local Self-Government.

The Minister also accepted the amendment of Dr. N. C. Sen-Gupta whereby when Government wanted to except certain provisions of the Act from operation in respect to a municipality, it must do so only on the recommendations of the commissioners.

The Bill provides that the maximum number of members in a Municipality should be thirty. An attempt to increase this number to 40 was defeated by 68 against 35 votes.

AUGUST 12, 1932.

BENGAL MUNICIPAL BILL CONTINUED

Further discussions on the Bengal Municipal Bill were taken up.

NOMINATION FOR DEPRESSED CLASSES

Mr. Amulyadhan Roy moved for the reservation of one-third of nominated seats for the depressed classes. He said that since the depressed classes had not been able to send any representative to any of the 117 municipalities in Bengal with the result that their rights and interests had been affected, and he was afraid they would have no representation unless special provision was made for them.

Opposing, Mr. Abdus Samad said that the fixing up of certain nominated seats for the depressed class Hindus would mean so much loss for the Mussalman community because Mussalmans also had their depressed classes as well. The labourers, the artisans, the agriculturists, the butchers, the coachmen and cartmen occupied the position analogous to the depressed class Hindus, and nobody had yet made any attempt to ameliorate their condition.

Mr. Abul Kasem repudiated Mr. Samad's suggestions that the poorer and the labouring classes among the Mahomedans were in the same position as the depressed classes among the Hindus.

The amendment of Mr. Roy was rejected.

AMENDMENTS RESTRICTING NOMINATING POWER LOST

By 67 votes to 11 the House refused the amendment of Rai Bahadur Dr. Haridhon Dutt to fetter the discretion of Government with regard to nomination by providing that nomination should be made "to secure the association in municipal administration of persons specially fitted in the opinion of the local Government as Commissioners and to secure the representation of minorities and special interests including the backward and labouring classes."

By 87 votes to 10 the House similarly negatived the amendment of Mr. Kishori Mohan Chaudhury which wanted that instead of one-fourth members being nominated by the Government, they be co-opted and elected by the Commissioners from amongst the general public including specialists in special branches of the municipality in engineering, public health, finance and education.

An attack was also made by a number of amendments against a clause in the Bill making "special provision in regard to industrial areas." The clause empowered the Government to form a special constituency for industry and labour, and give the same the right of representation through elec-

tions. Failing that, it further empowered the Government to increase the number of nominated Commissioners in such industrial areas beyond the statutory proportion of one-fourth to secure the proper representation of such industry and labour. Thirdly, it allowed representation to people living in these areas but not connected with such industries. An amendment of Rai Bahadur Satyendra K. Das to delete this clause altogether was lost without a division. The amendment of Dr. N. C. Sen-Gupta asking for a plebiscite to be taken before the right to vote in a special constituency was granted was similarly lost.

Another amendment of Mr. Ananda Mohan Poddar seeking to restrict the power of nomination to the statutory limit of one-fourth and that to be used for the proper representation of a minority community or labour or of an industrial section, proved equally futile. Mr. Poddar did not want to give special protection to the industrial people, because generally the heads of industrial concerns exercised great influence on account of their position and as such got a number of seats through election.

The Minister opposing all the amendments said that the industries at Bhatpara, Kanchrapara, Jagdal, etc. owed their prosperity to jute mills and Government was morally bound to provide sufficient safeguards for them and Government could not leave the matter to mere chance. He was, however, prepared to limit the power of nomination of Government in such industrial concerns to one-half, the other half to be elected.

Voicing the feeling of the oppositionists, Mr. J. L. Banerji appealed to the Minister to accept the amendment that the number of nominated Commissioners in these areas should in no case exceed two-fifths of the total number of Commissioners, but it was defeated by 52 to 40 votes.

AUGUST 15, 1932.

BENGAL MUNICIPAL BILL CONTINUED

Further consideration of the Municipal Bill was taken up.

SYSTEM OF JOINT ELECTION ADOPTED

The Council resolved upon " Joint electorate with reservation of seats for a minority community in a municipality in accordance with the proportion of such community to the total population of a municipality according to the latest census "

The existing Municipal Act, which is being amended, provided only for joint electorate, while the clause, approved of by the Select Committee which discussed the Bill, gave the right to the local Government to make the necessary provision for representation of any minority community by rule.

AN AMENDMENT

The Hon. Mr. B. P. Singh Roy, Minister, moved the following short-notice amendment in question with the leave of the Chair on the question of representation:—

" The Local Government shall by rule provide for the representation of a minority community within a municipality by reserving seats for it among those to which Commissioners are to be elected. The number of seats so reserved shall be in accordance with the proportion borne by such community to the total population of the municipality according to the latest census.

" No person belonging to a minority community for which seats are reserved shall, if eligible for election as a Commissioner, be disqualified by the operation of this section from election to any seat, not so reserved.

Explanation: The Local Government shall determine whether any community in a municipality shall be deemed to be a minority community for the purposes of this section."

In moving the amendment the Hon. Minister said that it represented the agreed decision of the various party leaders. He hoped that Bengal would give a lead to the rest of India on this thorny question as it had done in the past on other matters.

Supporting the amendment Mr. A. K. Fazlul Huq said that the formula evolved by the Minister represented the greatest measure of agreement amongst the representatives of the various communities in this Council. This in itself was no mean achievement, in regard to a problem which had baffled the political leaders of the country. In response to Mr. N. K. Bosu, Mr. Huq said that there was none among the Moslems who would refuse to reserve seats for the Hindus in orther local self-governing bodies where they were in a minority.

Mr. J. N. Basu considered that the amendment indicated the desire of the people to try to settle down to solid work instead of engaging in mutual recriminations which did no good to anyone.

Mr. J. L. Banerji, however, remarked that the Bill was retrograde in so far as it handicapped joint electorate by certain conditions. He, however, welcomed it as it was for the first time that the Moslem community could be persuaded to accept the principle of joint electorate which marked a new opening in their national history.

The resolution was carried amidst applause.

WOMEN'S RIGHTS

The House by 58 against 14 votes rejected the amendment of Maulvi Abdul Hamid Shah, refusing the right to women to stand as candidates for commissioners of municipalities. The clause as it stood gave the right to women to vote in a municipal election and to stand as candidates for commissioners.

NOMINATED COMMISSIONERS IN INDUSTRIAL AREAS

The House decided that the number of nominated commissioners in industrial areas should be limited to fifty per cent. and on the motion of Mr. C. G. Cooper resolved that the election or nomination of commissioners in such special industrial municipal areas should be made from among persons directly concerned with such industry.

AUGUST 16, 1932

STATEMENT ON POLICE EXCESSES IN CHITTAGONG

The Hon'ble Mr. R. N. Reid, Home Member, made the following brief statement on the incidents of Chittagong in August and September 1931, and Government's conclusions thereon:—

"Government have considered very carefully the report of the Commissioner on those incidents and all other information available and have also been in close consultation with the Government of India on the subject.

The conclusions they have come to is that following on the intense feeling aroused by the murder of Khan Bahadur Moulavi Assanullah on August 30, 1931, coupled with the long continued strain to which the local officer had been subjected for a period of over 18 months, certain breaches of discipline were committed and certain damage was done to private properties, which cannot be condoned. As a result of this, Government have taken suitable, disciplinary action against the officers at fault and I am authorised to state that this action has the full approval of the Government

of India. Certain claims for compensation have been put forward and are being dealt with on their merits."

In reply to further supplementary questions, the Hon'ble Member was unable to give further information on the sort of disciplinary action taken against the offending officers or to give exact figures about the extent of the damage.

BENGAL MUNICIPAL BILL CONTINUED

Considerable progress was made in the discussion of the Municipal Bill when the House in quick succession disposed on nearly two hundred amendments.

VOTING QUALIFICATION

The main discussion centred round the attempt of Khan Bahadur Azzizul Huq to lower the standard of franchise. In one amendment he wanted to introduce adult male franchise in future municipal elections. The Hon. Minister opposing said that it was not practicalbe at this stage, and the amendment was lost.

The Khan Bahadur, however, made another attempt to lower the franchise and moved an amendment that a person who is a literate, being able to read and write in any language would be entitled to vote at an election of the commissioners of any municipality. His idea was that bare literacy test should be the qualification of voters.

The Hon. Minister opposed the amendment and said, it was practically adult franchise if bare literacy test was accepted as the standard

By 57 votes against 28 the House defeated the amendment of the Khan Bahadur and retained the franchise qualification as embodied in the Bill, namely, that with regard to educational qualifications, the passing of the Matriculation Examination of the Calcutta University would qualify a person to vote in municipal elections

MUNICIPAL ELECTION EVERY FOUR YEARS

The House further decided that the municipal election will take place every fourth year.

ELECTION OF CHAIRMAN

An attempt, made by Mr. Anandamohan Poddar to incorporate in the Bill the provision that a commissioner who has served as a chairman in the same Municipality for two terms immediately preceding such election, shall not be re-elected as chairman, failed.

An attempt to delete the clause which provided that if any dispute arose as to the election of a Chairman or Vice-Chairman, the matter shall be referred to the Local Government, whose decision shall be final and shall not be questioned in any court, also failed.

AUGUST 17, 1932.

BENGAL MUNICIPAL BILL CONTINUED

A suggestion for an all-night sitting of the Bengal Legislative Council, following the traditions of the British Parliament, to dispose of the Municipal Bill was made by Mr. W. H. Thompson, leader of the European Group.

The Hon. President said that he had no objection if the House so desired, but there being no response from any other quarter, the suggestion was not accepted.

DISCUSSIONS ON AMENDMENTS

The whole of the day was devoted to a discussion of a series of amendments relating to details in connection with the Municipal Bill. There was an attempt first to delete the clause from the Bill which provided that candi-

dates for elections as commissioners should deposit Rs. 100. That attempt failing, amendments were moved to reduce the deposit money to Rs. 50, Rs. 35 and Rs. 5 but these were all negativated. The Hon. Minister, however, accepted an amendment empowering the Government to reduce the amount to Rs. 50 in the case of such a municipality as it thought fit.

PREVENTION OF CORRUPT PRACTICES AT THE ELECTION

Another set of amendments dealt with the clause in the Bill relating to corrupt practices at the elections. An objection was taken to a sub-clause which said that no food or drink or money should be given to a voter to influence him to vote or to refrain from voting. An amendment to omit the words 'penalising the giving of food or drink' was rejected. In connection with the conveyance of voters at polling booths, the House accepted the amendment of the Minister that corrupt practices should include payment to any person for the conveyance of a voter to record his vote. This, however, would not apply to voters having conveyances at their own costs.

AUGUST 18, 1932.

BENGAL MUNICIPAL BILL CONTINUED

ELECTION OF CHAIRMAN

The Council by 45 against 41 votes rejected the Hon. Minister's amendment which sought to make the election of a chairman of a Municipality subject to the approval of the Local Government and wanted to provide that if the Local Government disapproved of any election by the commissioners of a chairman, it might order the commissioners to elect within a period to be fixed in the order, another person from among their number to be chairman. The Bill, as originally introduced, contained this clause but it was delected by the Select Committee. By his amendment the Hon. Minister sought to restore the clause to the Bill.

The Council rejected by 37 against 36 votes the Hon'ble Minister's amendment which sought to make the delegation of duties or powers to Vice-Chairman or certain officers of a Municipality subject to the approval of the Government.

MOTION FOR ABOLITION OF OATH CLAUSE

Mr. Kishori Mohan Chaudhuri moved an amendment that the section in the Bill which enjoined that every person who is elected or appointed to be a Commissioner shall before taking his seat make, at a meeting of the Commissioners, an oath or affirmation of his allegiance to the Crown, be omitted. Mr. Chaudhuri pointed out that the Municipal administration of the province had been going on without difficulty so long without this provision and he thought that the clause was unnecessary.

Supporting, Dr. Naresh Chandra Sen-Gupta characterised the provision regarding the oath of allegiance as a "meaningless formality." He held that oath or no oath, every subject of His Majesty was bound by the duty of the oath of allegiance, therefore the taking of oath of allegiance added nothing to his obligation. Further, the retention of the oath clause might give hand to those of his countrymen who were apt to follow the Irish precedent and anxious to raise trouble over the oath.

The debate was then adjourned.

AUGUST 19, 1932.

BENGAL MUNICIPAL BILL CONTINUED

Discussions on the Bengal Municipal Bill were resumed. Opposing the amendment of Kishori Mohan Chaudhury the Hon'ble Minister hoped that

the day was far distant when the people of this country would follow the example of Mr. De Valera. It had been said that people who had honest scruples to take the oath would keep away from the Municipalities. Such people, the Minister said, were not wanted either in Municipalities or in local bodies.

The amendment to delete the oath clause was lost.

Dr. N. C. Sen Gupta moved to substitute the clause in the bill empowering the Local Government to remove a commissioner for having violated the oath of allegiance by the insertion of a clause giving power to the Local Government to remove a commissioner if only he has been convicted in a court of law of treason or sedition.

Opposing, the Hon. Minister said that the retention of the powers in the hands of the Government to remove a commissioner for violating the oath of allegiance was necessary.

The amendment of Dr. Sen Gupta was lost.

AUGUST 22, 1932.

MOTOR VEHICLES TAX ACT AMENDMENT BILL

A Bill to amend the Bengal Motor Vehicles Tax Act of 1932 was introduced by the Hon. Mr. B. P. Singh Roy, Minister.

Emphasising that the amending Bill proposed no change in the principle of the Act or any far-reaching amendment in procedure, the Hon. Minister explained that the Bill offered certain facilities to owners and introduced improvement in matters of realisation of taxes. It was also proposed to amend the first schedule of the Act about the taxation of private cars. The substitution of taxation by over-all measurement for taxation by seating capacity of private cars had been to place almost all private cars in the same category. It was, therefore now proposed by this Bill to charge Rs. 48 instead of Rs. 40 for vehicles measuring more than 40 sq. feet but not more than 60 sq. feet over-all.

Mr. Campbell Forrester was glad that the amending Bill practically followed the lines suggested by the Calcutta Corporation.

The amending Bill was referred to a Select Committee.

BENGAL MUNICIPAL BILL CONTINUED

The Council proceeded to discuss the Bengal Municipal Bill. Amendments relating to minor details were moved and by the time the House rose for the day, it had disposed of nearly 125 amendments.

AUGUST 23, 1932.

ADJOURNMENT MOTION ON COMMUNAL AWARD

Mr. N. K. Basu moved an adjournment motion to discuss the Prime Minister's Communal Award so far as it affected Bengal.

In moving his motion Mr. Basu stated that the Award was a sentence of banishment passed upon the Hindus of Bengal from the legislature of the province. The Award, he admitted, was undoubtedly 'communal' in more than one sense of the term but it was not an 'award.' It could not certainly be said that it was a judicial sentence. He added that the principles of population basis and political importance which were said to have been followed in the Award had been followed in a manner to deprive the Hindus of their fair and legitimate share in the legislature of the country. Further the Award had given communal representation not only to the people who

wanted it but to those who did not want it, namely, the Indian Christians and women. In the opinion of Mr. Basu, the Award had within it sufficient to show that it was deliberately meant to crush and humiliate the Hindus of Bengal. Concluding, he pointed out that the Prime Minister must have been aware of the resolution passed in this House the other day in favour of joint electorate.

DISCUSSIONS ON THE MOTION

The Raja Bahadur of Nashipur strongly protested against the Award in so far as the landholders' constituency were concerned. In the present Council the landholders were given five seats and although the number of elected members had been increased to 250 in the future constitution, they had not been able to get out of the rut of number 5 into which they had fallen. The Award had not only neglected their class but had neglected the recommendations of the Bengal Government in this connection.

Kumar Shib Shekhareswar Ray asked the European and the Moslem members to say whether they believed that a Legislative Council constituted in accordance with the award would be popular with that section of the people who had forced the hands of Government to grant further political powers and whether without their active co-operation it would be possible to govern the country in a way conducive to peace and orderly government. He appealed to the Europeans. The speaker said that if the reformed constitution was forced upon them, so long as Hindus were here, good government would be impossible without their good-will and actual co-operation.

Khan Bahadur Abdul Momin, while admitting that even the Moslems were divided amongst themselves on the question of electorate, felt that the large majority of his community was against joint electorate. It was a matter of real disappointment, he continued, that though the Moslems formed 55 p.c. of the population, they had been given only 47 p.c. representation and relegated to the position of a statutory minority in the House. The Hindus, he said, were far better off than the Moslems in this respect. He, however, admitted that in the future Government of the country the Hindus would not be able to enjoy that monopoly of power which they wielded in the administration of the country. He further pointed out that on the population basis it was only the Europeans who had been given larger representation and he did not grudge them that, in view of their business interest and the fact that they were going to lose their position of rulers. The Khan Bahadur proceeding admitted that the Hindus had made sacrifices and the success of self-Government was due to their effort, but thought that the real nationalists would loath to claim larger representation on that score, for it was against all ideas of nationalism to claim a larger share for the services rendered by a community. He added that though the Moslems were not satisfied with the Award, they would not be justified in condemning it. In his opinion the best arbiter was one who satisfied both parties and the next best was one who satisfied none.

Mr. Abdus Samad said that the Award was most unsatisfactory from the national point of view inasmuch as it sought to perpetuate separate electorate, making the European group the arbiter holding the balance of power. The nationalist Moslems were not prepared to accept communal electorate in any form. He was certain that the Award was an indication of the nature of the transference of power proposed to be given, under which they would get the shadow and not the substance of power.

Khan Bahadur Azzizul Huq said that no amount of tirade would succeed in changing the Moslem attitude from separate electorate, but added that they were prepared to discuss any reasonable solution of the problem. And

the only solution would be to accept the reality and find out the solution of the problem.

Mr. J. L. Banerji said that the politically minded Hindus would never accept the principle of separate electorate because that way lay the death of nationalism. Speaking on the Award, he said, that it offended against the cardinal principle of representative institutions. In a representative institution every member was not a representative of this or that community or class but of the country as a whole. According to this Award every member represented a particular sect or community, and not the nation. Pointing out that many contradictory principles had been introduced in the Award, he said that with regard to the Hindus and the Moslems the principle of population basis had been followed but with regard to the Europeans and the Anglo-Indians the principle of political importance had been introduced.

Mr. Abul Kasem said that the Award was unfair to the Moslems. The grievance of the Hindus, he said, was against separate electorate but frankly speaking he said that because of the past conduct of the Hindus, the Moslems could not trust them. They knew that if the system of joint electorate was introduced, by manipulation the Hindus would succeed in returning Moslem candidates who would be their creatures.

Mr. A. K. Fazlul Huq thought that the abuse showered on the Award was unfair. If the Award was unfair, they should reject it, and substitute something better in its place. As against this abuse, the fact remained that whenever an attempt was made to frame a constitution for India, the communal bubble burst revealing the surging combustible materials of racial and communal prejudice which lay beneath the apparent calm surface of Indian politics.

The Home Member, detailed the history of how the communities failed to come to an agreement and eventually appealed to the Premier to solve the problem and said that having accepted the responsibility which was thrust upon them and which they had never asked for and to the difficulties of which they were keenly alive, His Majesty's Government had given their decision the other day. "It is not for the Local Government," said the Home Member, "to question that Award, and it will be a presumption on my part to comment upon it by way of criticism or approbation." Continuing, the Home Member asked the House to consider the provision in the Award which left the door open for an agreed settlement among the communities. That was a very vital point which should engage the very earnest attention of everyone in the House who desired to see the new Constitution inaugurated in a spirit of peace and goodwill. If from the day's debate, there emerged a determination on the part of the communities to achieve the result referred to in the Premier's Award, then none would be better pleased and none would welcome it more than the Government of Bengal.

Mr. W. H. Thompson, on behalf of the European Group, referred to the attempt made in the R. T. C. to come to an agreed settlement, and said that in an atmosphere of unreality, the opinion was expressed that the communal differences might be settled in a few sittings of the Conference, quite forgetting the fact that the differences had been an outstanding feature of the history of the country for the last 800 years and had been the cause of most of her troubles, and was the reason why the Britishers were still in India. He was not surprised that the R. T. C failed to come to a settlement. The committee spirit was a contribution which the English speaking peoples made to the progress of civilisation, but imitations of that had always been bad. Indeed, it was impossible that there would be any other settlement except by an award by an outside authority. The authority which made the Award was His Majesty's Government, the biggest authority.

Rev. B. A. Nag said that the Indian Christians were grateful to the Prime Minister for giving them a chance to choose their own representatives to the council but they did not want separate electorate, which had been thrust upon them. At the same time more than half the number of Indian Christians were included in the general electorate. And the defect could be remedied immediately. He wished that the Inidan Christians should come through joint electorate.

Mr. K. C. Roy Choudhury on behalf of Labour said that representatives of Labour all over the country had always condemned separte electorate.

MOTION TALKED OUT

The adjournment motion of Mr. N. K. Basu was talked out.

AUGUST 25, 1932.

BENGAL MUNICIPAL BILL CONTINUED

Rai Bahadur Dr. Haridhan Dutt proposed an amendment to incorporate in the Municipal Bill a provision which would enable the municipalities to present addresses to persons of distinction.

Opposing, the Hon. Mr. B. P. Singh Roy, Minister, said that there was no such provision in the present Municipal Act and the Minister found no justification for inserting this provision in the present Bill.

The amendment was rejected.

The Council similarly rejected an amendment of Munindra Deb Rai Mahasai to enable municipalities to apply their funds for the purpose of "promoting companies for the supply of electricity and gas for railways, tramways and other companies of public utility" and to make contributions "to recognised associations of municipalities organised for the common benefit of municipalities," subject to sanction of the local government.

AUGUST 26, 1932.

BENGAL MUNICIPAL BILL CONTINUED

After five hours' deliberations the Council disposed of nearly 250 amendments, recording a very good progress in the discussion of the Municipal Bill. Dr. Amulya Ratan Ghose was the mover of a large number of amendments.

AUGUST 29, 1932.

MOTOR VEHICLES TAX AMENDING BILL CONTINUED

The Hon. Mr. B. P. Singh Roy, Minister, presented the report of the Select Committee on the Bengal Motor Vehicles Tax (Amendment) Bill. In the opinion of the Committee the Bill has not been so altered as to require re-publication and they recommend that the Bill as amended be passed by the Council.

BENGAL MUNICIPAL BILL CONTINUED

More than 160 amendments relating to minor details were disposed of when it further considered the Municipal Bill. The amendments which related to details of administration, namely, street and building regulations, conservancy, drainage, water supply, and similar subjects, evoked little discussion.

AUGUST 30, 1932.

BENGAL MUNICIPAL BILL CONTINUED

Nearly 130 clauses of the Municipal Bill were disposed of by the Bengal Council.

Khan Bahadur Abdul Momin moved an amendment with regard to the licensing of private slaughter-houses which would have the effect, as the Minister said, that private slaughter houses must be situated within the municipalities. The Minister pointed out that the clause in the Bill provided for slaughter houses within or without the municipalities so as to avoid communal difficulty, if such a situation arose. He explained that there might be a municipality in which the Hindu population predominated and a municipality in which the Mahomedan population predominated and in order to avoid communal difficulties the Bill clause provided for slaughter houses either within or without the municipal areas. But if the amendment of the Khan Bahadur was carried, it would do away with the option of having slaughter houses outside the municipalities and it would mean that private slaughter houses must be situated within the municipality and not outside it.

The amendment of Khan Bahadur Momin was lost by 51 votes to 27. The House carried the clause as it stood in the Bill by 57 votes to 28.

AUGUST 31, 1932.

BENGAL MUNICIPAL BILL CONTINUED

The amendment of Mr B. C. Chatterji to delete the clause giving power to local government to regulate the appointment and salaries of municipal school teachers and the construction and repair of school buildings and hostels was lost by 46 votes to 39.

Mr. N K. Basu moved an amendment to provide a clause that before an action was taken by Government in the matter of superseding any municipality or dissolving a body of Commissioners and ordering fresh election, a notice should be served upon the Chairman of the municipality specifying the grounds upon which such action was proposed to be taken by Government and asking that body to show cause within a month why such action should not be taken The Minister opposed the amendment which was lost by 34 votes to 32

An attack was made by several non-official members upon the Sub-divisional Officers when the Hon Minister moved an amendment providing that these Sub-divisional Officers also might be vested with all the powers of the Commissioner of a Division and the District Magistrate to require a municipality to furnish such statements and accounts etc as they thought fit.

The amendment of the Hon Minister was however carried by 49 votes to 42.

SEPTEMBER 1, 1932.

BENGAL CRIMINAL LAW SECOND AMENDMENT BILL

The Home Member, in moving the Bengal Criminal Law Second Amendment Bill 1932 for consideration, explained the scope of the four main clauses in the Bill. The text of the Bill appears on page 410. As regards the object of the amendments, the Home Member said: "The first amendment enables the Government to appoint a fresh tribunal for the trial of accused

persons whose trial commenced but has not been completed. The reason for this is to get over the difficulty which occurred in connection with the Chittagong Armoury Raid case. When the notification was issued which constituted the tribunal in that case and which ordered that certain persons should be tried under the Criminal Law Amendment Act by that tribunal, in this notification were not only the names of persons who were present and ready to be tried but also of a number of those who were accused in the case but were not then in the hands of the authorities. The case proceeded against those who were present and the trial was concluded on the 31st March last. Government were then informed by their legal advisers that the original tribunal which had been appointed to try the case and which concluded the case against the majority of the accused had still seisin of the case as against the remainder. It was clearly inconvenient and undesirable to attempt to re-assemble the original tribunal for the trial of the remaining accused and it was realized that those remaining accused when they came to be tried would have a legitimate ground of complaint if they were tried by the same tribunal which had already come to a conclusion on the same facts and made up their minds on those facts.

The second one is connected with section 30 of the Indian Penal Code which makes the death penalty one of the penalties which can be inflicted by the special tribunal in cases of trials for offences which come under the first part of section 307 of the Indian Penal Code. This enhanced penalty for the crime of attempted murder by way of terrorism is intended as a deterrent and it can well be argued that it is appropriate to the case. There is no reason why a criminal, who has made an attempt but by some accident has failed in the attempt, should be treated more leniently than one who has actually succeeded in committing a murder."

MOTION FOR CIRCULATION

Moving his amendment for circulating the Bill for the purpose of eliciting public opinion, Mr. Shantishekhareswar Roy stated that it was fair to the members of the House that they should know what the Judges of the High Court and legal advisers of Government thought of the drastic changes proposed in the existing law of the land and their opinion as regards the desirability or otherwise of the provision in the Bill which proposed to make attempt at murder punishable with sentence of death or transportation for life He knew that under the authority of an Ordinance such a sentence could be imposed but he would like to point out to the Government that a change of this nature should not be enforced in a particular province only. Mr Roy suggested to the Government that if they thought that such a punishment was necessary, a measure of this nature might be brought before the Legislative Assembly so that it might be enforced in all parts of India.

DISCUSSIONS ON THE BILL

Supporting the circulation motion, Mr. Munindra Deb Rai Mahasai characterised the provisions of the Bill as "highly objectionable."

Opposing the motion, Rai Bahadur Kamini Kumar Das thought that no ostensible purpose would be served by circulating the Bill for eliciting public opinion.

Mr. B. C. Chatterji asked the Government to remember that a legislation of this nature was un-British in character and that they could not go on and on with abnormal measures for all time without doing something constructive which would go to the root of the disease. He thought that the introduction of provincial autonomy and even the transfer of the portfolio of law and order to a responsible Minister would improve the situation.

Khan Bahadur Abdul Momin opposing the circulation motion remarked that the motion of Mr. Roy was a dilatory one because there was nothing new in this Bill on which the public need be consulted.

Mr. Abul Kasem opposed the motion as he thought no useful purpose would be served by circulating the Bill. He thought that these powers should be given to Government to bring about a sense of security among the people. Let them give a chance to the executive and if they failed it would then be their duty to find out how the situation should be faced.

Mr. N. K. Basu thought that Government would be well-advised to circulate the Bill. Referring to Mr. Kasem's speech about giving a chance to the executive, he pointed out that these powers were being exercised by the Government since the year 1925 to suppress terrorism but the executive had failed. Pointing that the state of emergency must be for a limited period, Mr. Basu said that if Government could not carry on with the normal law of the land, they could have Ordinances and even martial law but to say that they must give chances after chances without public opinion behind the back of such measures was to say that the Council was simply surrendering its judgment to the judgment of the executive. So far as public opinion was concerned, he knew that it was against the adoption of this illegal and un-British law. Discussing the provision of the Bill with special reference to the power to inflict capital sentence, Mr. Basu pointed out that capital sentence was now considered in all civilised countries of the world as something which was having no good effect. In fact it had been abolished in some countries. But it had been urged that this sentence was necessary in order to serve a deterrent effect upon the terrorists, but they forgot they were going to inflict this sentence on a class of people who went about with pistols in one hand and potassium cyanide in the other.

Mr. Abdus Samad remarked that these measures had been tried for a long time and found wanting. Therefore it was up to the Government to diagnose the disease and apply the real corrective.

The Home Member, opposing the motion for circulation, did not think that any purpose would be served by postponing the passing of the Bill in order to elicit public opinion, which as had been stated, was well-known. Referring to Mr. Shanti S. Roy's remark that such a Bill should be passed by the Legislative Assembly in so far as it related to the infliction of capital sentence in a case of attempted murder, the Home Member said that the Criminal Law Amendment Act of 1930 dealt only with terrorist crime which was prevalent in this province. In other provinces there was either no terrorist movement or a very small one.

The motion for circulation was lost by 69 votes against 22 votes.

SECOND READING OF THE BILL

During the consideration stage of the Bill amendments were made with a view to curtail the provision empowering the Special Tribunal to inflict capital sentence or a sentence of transportation for life in a case of attempt at murder.

AMENDMENTS TO MODIFY THE DEATH SENTENCE

MR. N. K. BASU'S AMENDMENTS LOST

Mr. N. K. Basu's amendment to delete the clause altogether with a view to retain the right of Commissioners to sentence an accused to ten years' R. I. on the charge of attempted murder as it existed under the Indian Penal Code was lost without a division.

Mr. Basu then moved an amendment which intended that the tribunal might inflict a sentence of death or transportation for life in a case of attempt at murder only where the assailant had caused hurt to his victim.

The Hon. Mr. Reid opposing said that as to whether such a sentence would act as deterrent and prevent other people from committing the crime, was a debatable point. Not only anarchists carried revolvers in one hand and poison in the other, but there were others who carried revolvers in one hand and their other hands were empty. In any case he thought as a deterrent punishment it was surely conceivable that the potential anarchists might think twice before they went out to murder.

Mr. W. L. Armstrong supported the provision for infliction of capital sentence as in his opinion it would deter others.

Mr. Shyamaprasad Mukherji, supporting the amendment of Mr. Basu, asked Mr. Reid what harm was there in accepting the amendment. If Government accepted that amendment, he said, it would be a good gesture on their part.

Maulvi Tamizuddin Khan said that the merit of this legislation lay not in the drastic character of punishment to be meted out, but in the effectiveness of the method to be employed to detect the crime. Concluding, he said that the amendment of Mr. Basu was reasonable.

The amendment of Mr. Basu however was pressed to a division and lost by 59 votes to 36.

DEB RAI MAHASAI'S AMENDMENT LOST

Manindra Deb Rai Mahasai then moved an amendment with a view to do away with capital punishment in a case of attempt at murder but giving power to the tribunal to inflict a sentence of transportation for life in such a case.

Mr. W. H. Thompson said that "intention" was the essence of the whole thing and there was no question that a successful terrorist intended differently from an unsuccessful terrorist. That being so, it could not be said that because a terrorist had been unsuccessful, he should be dealt with differently, although he had the same object in view.

Dr. N. C. Sen Gupta pointed out that intention was not the whole of the crime. Intention must be followed by the act and the nature of the act aggravated the offence. Mere intention without any serious consequence was never regarded as a grave offence and that was the English jurisprudence. Proceeding, he said that there had been distinct tendency now-a-days to make punishment less drastic, to humanise punishment, as it had been found that when punishment became too severe, the effect was just the reverse. If an attempted murder was regarded as equivalent to murder, it would cause tremendous revulsion of feeling and would make certain people more desperate.

Mr. B. C. Chatterji pointed out that in making a distinction between murder and attempted murder, law had taken into account the sanctity of human life and when it was found that the man had not succeeded in murdering a person, the law intervened and gave that being a chance by sending him to prison for some years with a view to reform himself; it gave a chance of moral renewal to the man. Finally, he pointed out they should not trespass into the region of vengeance which was not man's but which was for other higher power whose laws were inexorable and which they could neither touch nor change for better or for worse.

Mr. H. S. Suhrawardy opposed the amendment, as he thought that times were out of joint and they were dealing with an abnormal situation and under abnormal conditions.

The Hon. Mr. Reid opposing said that this provision in the Bill was an extension of principle underlying the section 307 I. P. C. He also pointed out that the section used the word 'may' and not 'shall' in the matter of infliction of such punishments.

The amendment of Deb Rai Mahasai was lost without a division.

PROCEDURE OF TRIAL

Discussions then continued on the clauses of the Bill relating to the procedure to be adopted in the trial of the accused. The Bill authorised the tribunal to dispense with the presence of refractory accused and to proceed with the trial and in such case such accused, the Bill said, should be deemed not to plead guilty

SEPTEMBER 2, 1932.

BENGAL SUPPRESSION OF TERRORIST OUTRAGES BILL

The Hon'ble Mr. R. N. Reid, Home Member, presented the Report of the Select Committee on the Bengal Suppression of Terrorist Outrages Bill, 1932. On the motion of the Home Member the Bill, as emerged out of the Committee, was taken into consideration.

MOTION FOR RE-CIRCULATION

Mr. N. K. Basu then moved that the Bill be recommitted.

In moving his motion Mr. Basu said that apparently the Bill had not been properly considered by the Select Committee. This was manifest from the fact that several sections of the Bill had not been touched by the committee and those sections were of very great importance. In fact almost all the clauses in Chapter II had received very scant attention from the Committee. Having regard to the fact that the measure was of such a great importance, it was more like asking the legislature to give a blank cheque to the Executive when that Bill was asked to be passed by the House. Then again, so far as the Clause 14 was concerned it would appear that of eleven members of the Select Committee six had signed minutes of dissent, asking for a portion of the clause to be deleted. It was thus rather a minority report.

DISCUSSIONS ON THE BILL

Mr. Ananda Mohan Poddar in supporting the recommittal of the Bill said that the Bill had been brought forward in a great hurry and inspite of very earnest appeals and endeavours from this side of the House the Bill was referred to the Select Committee without eliciting public opinion thereon. The Committee also had to finish its work in hot haste. It could not get any opportunity of weighing the clauses in the light of public opinion and independent criticism.

Dr. Naresh Chandra Sen Gupta supporting the motion for recommittal of the Bill said there were clauses in the Bill which did not quite make it clear whether the Bill was intended to apply exclusively to terrorist outrages. Further it was not a report of the majority of the Select Committee. The addition of a word here and the omission of a word there which in most cases were meaningless conveyed no significance whatsoever

Mr. Birkmyre opposing the motion for recommittal said that tribute had been paid enough on the floor of the House to murdered officers. But mere words would not do; deeds were wanted.

Mr. Shyama Prosad Mukherje, supporting the motion for re-committal of the Bill to Select Committee, said that they honestly felt that the measures that were being put on the statute-book one after another, were not the proper remedies for the disease with which they were faced. He pointed out that repressive measures had failed. Discussing the provisions of the Bill, Mr. Mukherjee said: "The provisions of the present Bill do not deal with the terrorists proper. They propose to deal with the members of the public. There are very broad provisions in the Bill, provisions for

indiscriminate search, provisions for the possession of movable and immovable properties. These are provisions of a drastic character which do not concern in any way with the terrorist themselves, but with the peaceful avocations of other citizens." The present Bill, continued Mr. Mukherjee, was an amendment of the Criminal Law Amendment Act rather in name; but really its provisions were those of martial law.

The Hon'ble Mr. Reid, replying to the debate on the motion for recommittal, denied that the Select Committee had not considered the Bill. Referring to Mr. Shyama Prosad Mukherjee's arguments, that the Bill was not the real remedy, the Hon'ble Home Member said that Mr. Mukherjee could not suggest what the real remedy was. The provisions of the Bill were not going to be a panacea for all the troubles in Bengal. But it was only as best as it could be. Mr. Mukherjee had drawn his examples from countries where repressive measures had failed. But when he referred to India, he would like to know if they had failed. Proceeding on the subject, the Hon'ble Mr. Reid further said that the Government was satisfied that a public enquiry into Anil Das's death would not serve any useful purpose and the statement made in the Council on the Chittagong Enquiry Report was all that the Government could lay before the public He repeated that he did not see the slightest reasons or real reasons advanced during the discussion why the Bill should be re-committed.

MOTION FOR RECOMMITTAL LOST

The motion for recommittal was then put to the vote and lost without a division.

SECOND READING OF THE BILL

The Bill was then taken up for consideration clause by clause.

AMENDMENTS MODIFYING TENURE OF THE BILL

Maulvi Tamizuddin Khan then moved: "The Act shall continue in force till six months after the date of the inauguration of the new constitution in Bengal." In moving the motion he said that the effectiveness of a measure like this was debatable. Having regard to this fact the measure did not deserve a long lease of life. It was also possible, said Maulvi T. Khan, that the new constitution might be more resourceful than the present and devise more effective measures. If the transfer of portfolios of law and order to responsible ministers were made as suggested by Mr. B. C. Chatterjee it was possible that terrorists might think twice before they continued in their present activities. After all, it was the duty of the Government to see that the movement was not simply checked but eradicted from the province if possible

Mr. Ananda Mohan Poddar moved an amendment to the effect that the Act shall remain in force until the date of the introduction of the new Reforms. In moving the amendment, Mr. Poddar said: " By accepting the amendment Government should make this gesture that they are anxious to placate public opinion for the suppression of the terrorist activities as well as for the smooth working of the impending Reforms."

Mr. J. L. Banerjea supporting the amendments said that the House should not take judicial or legislative notice of the fact that reforms were coming. But from the common sense point of view, Mr. T. Khan's amendment would have considerable sympathy. The Government had made out a case for abnormal measures. But at the same time he would be free to admit that the Bill itself was a dangerous Bill, giving enormous powers to the police, the military and the Executive which if not exercised with great meticulous care by the police would lead to considerable oppression.

Both the amendments were lost without division.

SEPTEMBER 5, 1932.

TERRORIST OUTRAGES BILL CONTINUED

Further consideration of the Bengal Suppression of Terrorist Outrages Bill was resumed. The House disposed of 85 amendments.

AMENDMENTS MOVED

AMENDMENTS REGARDING POSSESSION OF BUILDINGS

Mr. Abdus Samad moved an amendment for deletion of the clause in the bill which gave power to Government to take possession of immovable property (any land or building) as quarters or offices for public servants or for the accommodation of troops or police or prisoners or persons in custody. Moving his amendment for deletion of the clause Mr. Abdus Samad said that there was the likelihood of these powers being used against persons holding advanced political views and having no connexion with terrorism. In the interest of law-abiding people, the clause, he said, should be deleted.

The Hon. Mr. R. N. Reid, opposing the amendment, assured that these wide powers would not be invariably abused, as said by some of the members, and that officers would be given strict orders as to how they should use these powers, whose only justification was, that they were intended to fight the menace of terrorism.

The amendment was however lost by 55 votes to 29.

The Hon. Mr. Reid however accepted the amendment of the Raja of Nashipur providing that the land or building shall not be so utilized as to wound the religious feelings of the owner or of the person in possession and shall not, as far as practicable, be so used as to interfere with access to any place of worship situated in or contiguous to the land or building.

He also accepted the amendment of Mr. N. K. Basu which empowered the Government to take possession of any land or building in places where public lands or buildings were not sufficient.

AMENDMENTS RE: POWERS TO EFFECT ARRESTS

Mr. P. Banerji moved for the deletion of the clause in the bill which stated that an officer making an arrest of persons behaving suspiciously might in so doing use any means that might be necessary to effect the arrest.

Supporting Dr. N. C. Sen-Gupta asked what was meant by " any means." If a suspect, he said, took refuge in a house, would the police be justified in setting fire to the building in order to bring him down or in maltreating the members of his family ?

Opposing the Hon. Mr. Reid said that the clause in question was intended to protect officers who had to make arrest and in so doing might have to use force, possibly extreme force, in dealing with desperate characters. This clause, he said, went a little further than clause 46(1) of the Cr. P. C. which gave such power of arrest.

The amendment was lost without a division.

Rai Bahadur Dr. Haridhone Dutt then moved that after the word 'means' the word 'lawful' be inserted. He did not think that the legislature could advocate the use of any means except those which were lawful.

Mr. Ananda Mohan Poddar moved an amendment that a proviso might be added that in effecting arrests officers would not cause any inconvenience or do any mischief to the members of the public

Mr. N. K. Basu pointed out that similar power given in the criminal procedure code, as said by Mr. Reid, was on condition that the person forcibly resisted arrest or attempted to evade arrest, but there was no such

condition here. And unless there was some such condition, he was afraid, the powers conferred would be liable to be abused.

The Hon. Mr. Reid opposing said that by reason of this clause, provisions of the Cr. P. C. were not ousted. There was no intention on the part of Government to try to justify unlawful means. Mr. Reid further said that there were stringent regulations in the police regulations as to the use of firearms and no Government officer could use firearms unless to a great extent they were called for by circumstances, and if anybody did so he would be suitably dealt with.

Both the amendments were lost.

AMENDMENTS RE: REQUISITION OF ASSISTANCE

With regard to the clause in the bill giving power to the District Magistrate to require the assistance of persons in the restoration and maintenance of law and order and in the protection of property in the possession of Government or of any railway administration or local authority, the Hon. Mr. Reid accepted the amendment of Mr. S. M. Bose which provided that before passing any order requiring such assistance, the District Magistrate should satisfy himself that such order was not of a harassing or humiliating nature or was incompatiable with the man's position in life and his ability.

Mr. Shyama Prosad Mukherjee then moved an amendment providing that no female would be required to render any such assistance.

The Hon. Mr. Reid stated that to meet the wishes of the House he would accept the amendment which was carried.

AMENDMENT RE: DELEGATION OF POWERS

Mr. S. M. Bose moved an amendment to delete the clause which gave power to give effect to orders if disobeyed. It was pointed out that although in the first instance these wide powers were given to Government, they in their turn might relegate their powers to the District Magistrates who in their turn might relegate these powers to the local police. And thus there was the likelihood of the powers being abused by the junior officers.

The amendment was opposed by Government and was lost.

SEPTEMBER 6, 1932.

TERRORIST OUTRAGES BILL PASSED

Discussions on the clauses of the Bill were resumed.

AMENDMENTS REGARDING COLLECTIVE FINES

Mr. P. Banerji moved for the deletion of the clause in the Bill which empowered Government to impose collective fine on inhabitants of turbulent areas.

Supporting, Mr. S. C. Roy Chaudhuri said that while other clauses in the Bill affected persons holding advanced political views this clause affected the general masses who never meddled in politics but whose only crime was that they belonged to a particular community and that they belonged to this province. He contended that the Government should remember that they could not brand the whole community in this manner. The result of this piece of legislation, in his opinion, would be that it would drive into desperation the whole community.

The Hon. Mr. Reid opposed the amendment and said that the clause was put in because it was believed it would be of value in the attempt to meet the terrorist conspiracy and that this provision might make it possible to run down the terrorists who were in hiding or possibly were given shelter by the inhabitants of certain areas. The Hon. Member referred to the

incident that happened on June 13 at Dhalghat at Chittagong where one absconder was captured and killed, and two got away. It was there discovered and made perfectly clear upon the evidence that Government had, that there were at least four or five of the leading absconders who had been sheltered there for two years. On this ground Government inflicted a collective fine on that particular village, the reason being that it was clear that the inhabitants must have been sheltering these persons and that they failed to give any information on the subject.

The amendment for deletion of the clause was lost by 65 votes to 24.

AMENDMENTS RE: EXEMPTIONS FROM COLLECTIVE FINE

Mr. Ananda Mohan Poddar then moved that the words "or class or section of such inhabitants" be omitted from the clause which provided that Government might exempt any person or class or section of such inhabitants from liability to pay any portion of such (collective) fine. Mr. Poddar said that from the answer of the Hon. Member it would appear that such collective fines would be imposed on the Hindu people of Midnapore, as in the latter's opinion they were in sympathy with the terrorist movement. This argument, he said, did not bear a moment's scrutiny, for the Hindus of that place had condemned the outrage on Mr. Douglas in no uncertain terms.

The Hon. Mr. Reid opposed the amendment on practical grounds, as the clause gave discretion to make exemption either by way of individuals or a class or section of inhabitants.

Mr. Shyamaprasad Mukherji said it was not the correct attitude to penalise a whole community, as the Hindu community had been penalised at Midnapore. The correct attitude would be to penalise any person, be he a Hindu or a Mahomedan or Christian, if against him it was decided to levy such a tax.

The amendment was lost by 74 votes to 23.

The Home Member, however, accepted the amendment of Mr. Munindra Deb Rai Mahasai that in exempting any person or class or section of inhabitants from this collective fine, such exemption would not be based upon communal or racial considerations.

The Home Member also accepted the amendment of Mr. Khetter Mohan Roy for omission of the explanation to the section which stated: "For the purposes of the section, the 'inhabitants' of an area include persons who themselves or by their agents or servants occupy or hold land or other immovable property within such areas, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such areas, notwithstanding that they do not actually reside therein."

AMENDMENT RE: FILING OF APPEALS

The Home Member also accepted an amendment of Mr. Munindra Deb Rai Mahasai extending the period of presentation of an appeal to the Court of Sessions from fifteen days as provided in the bill, against conviction by a Special Magistrate, to thirty days. The Hon Member stated that as to the right of filing an appeal to the High Court, the matter was beyond the province of this Council and the Government of India had undertaken legislation to that effect.

THIRD READING OF THE BILL

After Mr. Reid had formally moved that the Bengal Suppression of Terrorist Outrages Bill, as settled in Council, be passed, Mr. Munindra Deb Rai Mahasai, opposing, said that they were prepared to pass the Bill only on condition that after twelve months, if Government failed to suppress the terrorist movement with the help of this measure, "they would voluntarily abdicate the government of the country in their favour."

Mr. Shanti Shekhareswar Roy appealed to the Hon. Member to assure the House that the powers conferred would be exercised with moderation.

Mr. Abul Kasem offered his sympathy to the Hon. Member for having carried out an unpleasant piece of work. While admitting that from the judicial point of view the whole piece of legislation was more or less objectionable, Mr. Kasem said that although it was an evil, it was a necessary evil, justified only by the abnormal situation prevailing in the country.

Mr. N. K. Basu said: "We cannot by any manner or means give our support in placing the Bill on the Statute Book as we are deliberately of opinion that far from suppressing terrorism, the provisions of the Bill, if they are not judicially administered, will result in the extension of terrorism."

Khan Bahadur Azzizul Huq agreed that unless the Bill was judicially administered, it would lead to embitterment of feelings. In the interest of both Government and the governed, he said, the Executive and the Police should exercise their powers under this Bill with judicial restraint and moderation.

Opposing the Bill, Mr. P. Banerji said that it was martial law in disguise.

Mr. Cambell Forrester "reluctantly" supported the Bill. He would like to see some bill dealing with seditionists who produced the situation favourable to the terrorist.

The Hon. Mr. Reid said that he had made it clear on several occasions in the past that the Bill, so far as Government could see to it, would not be administered in a way which was calculated to harass or to put to inconvenience or loss those who might come in contact with these provisions.

BILL PASSED

The Bill, as settled in the Council, was passed by 58 votes to 12.

SEPTEMBER 7, 1932.

BENGAL MUNICIPAL BILL PASSED

Moving the final reading of the Bengal Municipal Bill, the Hon. Mr. Bejoy Prosad Singh Roy pointed out that the Bill as it stood was exactly the same as it emerged from the Select Committee. The amendments accepted by the House had not touched any important principle of the Bill. Proceeding the Hon. Minister said, "The most important improvement, that has been effected at the instance of the House, is by introducing the principle of reservation of seats for the minority communities in a municipality on the population basis and on the basis of joint electorate. The principle that the municipalities should be brought into direct contact with the Department of Local Self-Government has been approved by the House. External control has substituted internal control of the Government. Government have retained power of taking over charge of any department of a municipality, if there is default with regard to that department." Government had got power to dissolve a municipality, which, the Hon. Minister said, was to allow the rate-payers to give their verdict on the work of the out-going municipality or take over charge of the administration of a municipality where there was serious mismanagement of its affairs. This principle, he pointed out, had been fully accepted by the House and he hoped that if these reserve powers of the Government were properly exercised they would help these units of local self-government rather than in any way retard their progress. The Hon. Minister further stated that this form of external control had fully succeeded in England and other democratic countries of the world and there was no reason why it should not succeed in this province.

OBSERVATIONS ON THE BILL

Messrs. J. N. Basu, Abul Kasem, W. H. Thompson, S. C. Roy Chowdhury, N. K. Basu, S. M. Basu, and Khan Bahadur Azzizul Huq, representing the various groups in the House, congratulated the Hon. Minister on his 'achievement,' Mr. J. N. Basu stating the measure was a very large advance on the existing legislation. But a dissentient note was struck by Mr. Satyendra Roy who characterised it as a backward piece of legislation which, he was confident, the future legislature of the province would denounce as being unsuited to the march of events.

BILL PASSED

The Bill, as settled in Council, was passed.

SEPTEMBER 8, 1932.

MOTOR VEHICLES BILL PASSED

Further considerations of the Motor Vehicles Tax Amendment Bill were resumed.

KHAN BAHADUR MOMIN'S AMENDMENT ADOPTED

Khan Bahadur Abdul Momin moved an amendment substituting a clause in the Bill by the following: "If a Taxing Officer is satisfied that in respect of any motor vehicle. a declaration or additional declaration has not been delivered in accordance with provisions of sec. 6, within one month of the date on which such declaration or additional declaration was due, or any tax or additional tax payable under this Act has not been paid within one month of the date on which such tax was payable, or any penalty imposed under sub-section (4) has not been paid within one month of the date on which such penalty was imposed; he may, notwithstanding anything contained in the Indian Motor Vehicles Act of 1914, or any rules made thereunder, declare the certificate of registration of such motor vehicles to be suspended and such certificate shall thereupon be deemed to be suspended until the whole amount of tax and penalty, if any, due in respect of such motor vehicle has been paid."

The House accepted the amendment by 69 votes to 14.

BILL PASSED

The Bill, as settled in the Council, was then passed.

BENGAL MONEY LENDERS' BILL

Khan Bahadur Azzizul Huq introduced the Bengal Money Lenders' Bill in the Council. The object of the Bill is to place a definite check to the harsh and unconscionable loans carrying interest at usurious rates. and to prevent the Civil Courts being used for the purpose of enforcing such rates. Its object is to make registration compulsory for all money-lenders who are not permanent residents nor have permanent domicile. to abolish compound interest and to make a clear provision which the courts shall follow in determining excessive interest and harsh and unconscionable transactions in giving effect to the provisions of the Usurious Loans Act of 1918 and thereby supplement the provisions of this Act. The Bill aims mainly to give relief to the agriculturists and labourers, and the City of Calcutta is excluded by the Act. The Bill is modelled on the recommendations of the Banking Enquiry Committee.

Moving that the Bill be referred to the Select Committee. the Khan Bahadur said that he was prepared to accept the motion for circulation.

MOTION FOR CIRCULATION CARRIED

Supporting the circulation motion, the Hon. Mr. R. N. Reid said that Government were in sympathy with the underlying principle of the Bill

but they considered that it required circulation rather than reference to the Select Committee. This was a new subject for provincial legislation, he said, about which opinion differed. The Bill, he said, contained a provision to fix a certain rate of interest which would be considered to be usurious. That alone was a highly contentious matter about which opinion differed. Then again there was the question of registration of money-lenders which affected numerous persons, many of whom were not probably subjects of British India. In these circumstances Government would support the motion for circulation.

The motion for circulation was carried.

COUNCIL PROROGUED

The Council was then prorogued.

INTERPELLATIONS

C. D. CONVICTIONS DISTRICT BY DISTRICT

Replying to Mr. Ananda Mohan Poddar regarding the number of persons convicted in connection with the civil disobedience movement, the Hon'ble Mr. R. N. Reid laid on the table the following statement on August 26, 1932:—

Districts	Number of persons convicted for offences in connection with C. D. movements from Jan 1932, to May 1932		Number of persons male and female convicted and detained in jails on the 23rd July, 1932		Number of persons detained under the Ordinances in jails without trial on the 23rd July, 1932.	
	Male	Female.	Male.	Female.	Male.	Female.
Burdwan	256	21	9	2	—	—
Birbhum	22	2	—	—	—	—
Bankura	293	46	—	—	—	—
Midnapore	1,153	77	38	8	—	—
Hooghly	593	13	1	11	—	—
Howrah	137	4	—	—	—	—
24-Parganas	980	—	139	—	—	—
Calcutta	1,163	95	24	21	—	—
Nadia	268	18	1	10	—	—
Murshidabad	203	13	—	125	—	—
Jessore	118	21	—	—	—	—
Khulna	200	19	—	—	—	—
Rajshahi	163	11	20	1	1	—
Dinajpur	318	32	—	—	—	—
Jalpaiguri	282	—	1	—	—	—
Darjeeling	32	—	5	—	—	—
Rangpur	72	16	—	5	—	—
Bogra	199	25	—	—	—	—
Pabna	387	22	3	4	—	—
Dacca	506	61	53	12	1	—
Mymensingh	69	—	1	—	—	—
Faridpur	394	2	5	—	—	—
Bakarganj	70	1	2	9	—	—
Tippera	624	58	32	1	—	—
Chittagong	25	—	—	3	5	—
Malda	16	—	—	—	—	—
Noakhali	223	5	—	—	—	—
Chittagong Hill Tracts	—	—	—	—	—	—

CIVIL DISOBEDIENCE CONVICTIONS & FINES

Replying to Mr. Kishori Mohan Chaudhuri on August 10 the Hon. Mr. Reid said that the total number of persons arrested in connection with the civil disobedience movement from January to May last was approximately 10,873. The total number of persons convicted for offences relating to the civil disobedience movement was 8972 males and 571 females. The number of women arrested in this connection was 647.

The number of persons detained under section 3 of Emergency Powers Ordinance of 1932 during the same period was 651 males and 29 females whereas the number of persons whose movements were restricted under section 4 of the Emergency Powers Ordinance were nearly 3374.

The number of persons released before the expiry of sentence was 953 males and 93 females.

The number of persons whose properties had been attached for realisation of fines imposed upon civil disobedience prisoners was 388, whereas the number of persons on whom the fines had been imposed was 1955.

The amount of fines thus imposed was nearly Rs. 1,39,448.

The Hon. Sir P. C. Mitter informed Dr. N. C. Sen-upta on August, that the total number of persons convicted since January last in connection with the Civil Disobedience movement was 9317 males and 621 females. On July 23 there were 23 males in Division 1, 421 in Division 2 and 3,218 in Division 3, while on the same date there were in Division 1 one female prisoner. 64 females in Division 2 and 147 females in Division 3.

LADY PRISONERS IN BENGAL

Replying to a question by Mr. Satyendra Nath Ray the Hon'ble Mr. R. N. Reid stated on August 26, 1932:—

Number of females arrested in connection with the civil disobedience movement for the period January-June, 1932—698.

Number of females convicted in connection with the civil disobedience movement for the period January-June, 1932—600.

Number of females undergoing sentences in jails in connection with the civil disobedience movement on the 23rd July, 1932—2,121.

TREATMENT TO LADY PRISONERS

Replying to Mr. Jitendra Lal Banerjee in the Bengal Council on August 16 the Hon'ble Sir Provash Chunder Mitter said that on the 30th July, 1932 there were one lady prisoner in Division I, 57 in Division II and 133 in Division III. Referring to treatment to lady prisoners Sir Provash said:

"Under Jail code rules 775 and 954, female Civil Disobedience prisoners of Division III are required to do ordinary jail work but as a rule they are employed on spinning. Female prisoners in Division I and those undergoing simple imprisonment are permitted to wear "Saris" supplied from outside. Other female prisoners wear jail "Saris." No complaint has been received about the quality of the wearing cloth. No complaint has been received by Government from any female prisoner about rude treatment in the Hijli and the Presidency Jails. The Government has not received any complaint nor has Government any information that the female C. D. prisoners in the Presidency Jail were assaulted by male European warders and bodily lifted and put in cell."

CLASSIFICATION OF LADY PRISONERS

Replying to a supplementary question, Sir Provas admitted on August 5 that a good many of the female prisoners came from the Bhadralog class. In every case where the information was placed at the disposal of the jail authorities warranting the placing of prisoners in a higher division, such an enquiry was made. He informed the House that in the bulk of the cases the attitude of the female prisoners was that they should be placed in one division and they refused to give any information as regards their status.

RELEASE OF C. D. PRISONERS

Replying to Dr. Amulya Ratan Ghose on August 25 the Hon'ble Mr. R. N. Reid stated that it was not a fact that the Government had decided

to release the prisoners convicted for offences in connection with the Civil Disobedience movement. The Home Member further stated that 389 males and 83 females from among such prisoners were released of late before their terms of imprisonment had been completed. The prisoners released were women or juveniles whom Government considered could be safely set at large. The number in jail on July 31, 1932 was 3490 males and 203 females.

POLICE FIRING IN BENGAL

Replying to a question by Mr. Shanti Shekhareswar Ray on September 17, 1932 asking for a statement showing the number of occasions on which the police opened fire to disperse a crowd or unlawful assembly, and the number of persons killed and wounded as a result of such firing from January to July 15, 1932, the Hon. Mr. R. N. Reid, Home Member, stated that number of occasions the police opened fire to disperse a crowd or unlawful assembly from January to July 15, 1932, was 16. The number of persons killed and wounded as a result of such firing was 13 killed and 76 wounded of whom 3 subsequently died. 68 Government officers were wounded. The following statement was laid on the table in this connection:

Place of occurrence.	Date of occurrence.	Occasion.	Number of persons Killed.	Number of persons Wounded.	Remarks.
1. Kendua Beel, police station Fakirhat, district Khulna.	19-1-1932	Dispersal of a mob in connection with the fishing in Kendua Beel.			
2. Latakhola, police-station Dohar, district Dacca.	23-1-1932	Dispersal of Congress volunteers' meeting held in defiance of order under section 144, Cr. P.C.	—	—	2 police officers wounded.
3. Hashnabad, police-station Laksham, district Tippera.	13-2-1932	Dispersal of a mob in connection with an agrarian riot.	2	1 (one subsequently died).	6 police officers wounded.
4. Daulatkhan, police-station Daulatkhan, district Bakarganj.	12-3-1932	In connection with a disturbance arising out of the performance of a 'jatra' at the thana compound.	—	2	
5. Moradanga Beel, police-station Rajbari, district Faridpur.	16-3-1932	Suppressing a riot over looting fish in the beel.	2	1	6 police officers wounded.
6. Tekhalibazar, police-station Nandigram, district Midnapore.	25-3-1932	Dispersal of an unlawful assembly in connection with the manufacture of contraband salt.	—	1	
7. Chargobra, police-station Mollahat, district Khulna.	29-3-1932	Dispersal of rioters in connection with the possession of the 'char.'	1	—	
8. Dewanganj, police-station Goghat, district Hooghly.	11-4-1932	Dispersal of rioters in connection with the demonstration of a 'Gajan' party.	3	5 (including one who subsequently died).	3 police officers wounded.
9. Chandipur, police station Bhairamara, district Nadia.	14-4-1932	Suppressing a riot over looting fish from a portion of the river Chandana.	—	15	

Place of occurrence.	Date of occurrence.	Occasion.	Number of persons Killed.	Wounded.	Remarks.
10. Bara Kalicharanpur, police-station Nandigram, district Midnapur.	6-5-1932	Dispersal of Congress volunteers assembled for salt demonstration.	—	1 (subsequently died).	
11. Shanpur, police-station Bantra, district Howrah.	9-5-1932	In connection with obstruction of a taxi occupied by a D. I. B. Inspector returning from a wedding party.	1	2	
12. Upper Circular Road, Calcutta.	17-5-1932	Dispersal of a mob who attacked Hindu houses in connection with a Muharrum procession.	—	2	28 police officers & 17 others were also injured
13. Tehatta, police-station Tehatta, district Nadia.	19-6-1932	Dispersal of a political conference convened by Congress volunteers.	1	3	The Subdivisional Officer and a dafadar were wounded.
14. Aksa, police-station Gangarampur, district Dinajpur.	1-7 '932	Dispersal of an unlawful assembly of some Santhals in connection with the arrest of some of their members.	—	2	11 police officers wounded.
15. Masuria, police-station Bhagwanpur, district Midnapore.	4-7-1932	Dispersal of a political meeting convened to celebrate "All India Prisoners' Day."	3	8	7 police officers wounded (besides 2 dafadars and 10 chaukidars).
16. Raibar Uttar, police-station Danton, district Midnapore.	12-7-1932	In connection with a disturbance arising out of realisation of chaukidari tax.	—	1	5 police officers wounded.

TREATMENT TO POLITICAL PRISONERS

Replying to Mr. J. L. Banerjee regarding assault on one Shibsankar, a prisoner in the Dum Dum Special Jail, the Hon'ble Sir Provash Mitter said the prisoner refused to give his thumb impression as required under section 6 (1) of the Identification of Prisoners Act, 1920. He was informed of the fact that the provision of the law clearly contemplated that such impression should be taken by force, if necessary, and after every effort at persuasion failed an attempt was made to make him give his thumb impression, but he resisted the officer discharging his duty. A struggle ensued, and in the course of the struggle the prisoner received a minor injury. The prisoner was not deliberately assaulted.

Replying to another question, Sir Provash Mitter stated that about 1,400 prisoners in Hijli Special jail were kept on penal diet for four consecutive days, as they refused to work and wear jail caps.

The Home Member admitted that Nagendranath Sen, ex-M.L.C., and President of the Khulna bar was marched off on foot from Khulna jail to the criminal court on January 25 last with both his hands cuffed with iron and rope round the waist because it was apprehended that an attempt might be made to rescue him by the crowd which collected near the jail. He further admitted that Kedarnath Mitter, pleader of Bagherhat division, a civil disobedience prisoner, was taken from Khulna jail to the railway

station with rope round his waist to avoid the prisoner becoming separated from his escort, in the midst of the crowd.

Replying to Maulvi Hassan Ali the Hon'ble Sir P. C. Mitter said on August 29 that prisoners in the Dum Dum Second Additional Jail were punished by an order to wear gunny clothing for losing their prison kit; in a very few cases they were punished by night handcuffs. In some cases when prisoners stubbornly refused to wear gunny clothing, thereby setting a bad example to other prisoners, they were punished with cross-bars or bar-fetters. The Hon'ble Member also informed that there were only two hunger-strikes in the jail. In the first case only one prisoner refused to take food as a protest against punishment awarded to him for losing jail kit, while on the second occasion three prisoners only declined to take food on the plea of refusal by the jail authorities of certain concessions asked for by other prisoners which were not permissible under the jail rules. He also stated that civil disobedience prisoners in the Khulna jail were given the work of pounding coir.

CLASSIFICATION OF POLITICAL PRISONERS

Being asked whether it was a fact that the persons who were placed in Division I or II in 1930-31 were now placed in Division III upon conviction for similar offences in connection with the civil disobedience movement, the Hon'ble Sir Provash Mitter replied on August 12 that only those cases in which the trial court, the stipendiary Presidency Magistrate or the District Magistrate recommended for classification in Division I or II came before Government. The cases where the prisoner was placed in Division III by any one of the above authorities did not come before Government unless the prisoner filed an application for revision of classification. It was however, possible that there were cases in which some of the authorities trying cases in different parts of the province placed in Division III prisoners who were placed in a higher division in 1930-31, but in the absence of petitions from the prisoners concerned, it was not possible to re-classify them.

INCREASED POLICE EXPENDITURES

Replying to interpellations the Home Member stated on August 31, that the increased expenditure in the Police Department, due to the rcent political situation in the province, was estimated at Rs. 3,10,000 over Rs. 14,61,000 for the last year.

ADDITIONAL POLICE AT MIDNAPUR

Replying to Mr. R. Maiti, the Hon'ble Mr. R. N. Reid admitted on August 30, 1932 that an additional police force was ordered to be quartered for a period of one year in the area within the limits of the Midnapore Municipality in the Sadar sub-division of the district at the cost of the inhabitants thereof, on the ground that the said area was found to be in a disturbed and dangerous state. In this connection he said, "The charge will be collected from members of the Hindu community, who are assessed to municipal tax, with an exception in favour of those classes or individuals in regard to whom it is 'prima facie' reasonable to assume that they have done what they can to counteract the disturbing influences that have been prevalent. The basis of calculation is still under consideration and order of exemptions have been issued." Replying to supplementary questions the Hon'ble Mr. Reid said that the Government decided to collect the charge from members of the Hindu community only because it was generally members of the Hindu Community who had been chiefly concerned in the terrorist outrages. The Depressed Classes also would not be exempted.

OCCUPATION OF HOUSES FOR TROOPS

Regarding the occupation of houses by police, the Hon'ble Mr. R. N. Reid admitted on August 25 that notices under section 5 and 22 of Ordinance No. X of 1932, i.e., the Special Powers Ordinance, had been served upon Babus Kishoripati Ray and Atul Chandra Bose, pleaders, and Babu Probodh Nath Das, Muktear, of the Midnapur Bar, requiring them to vacate their residential houses within five days from the date of receipt of the said notices and place the same at the disposal of the Government for quartering additional police force and for public advantage. In this connection he said that ordinarily vacant houses were selected, but that was not always possible. He further stated on September 7, 1932 that so far as could be ascertained, there was no foundation for the allegation that cows had been slaughtered by the Muhammedans and Europeans amongst the police force quartered in the residential houses of some Hindu gentlemen of Midnapore. In one case where a cow was slaughtered in the house of a Muhammedan, it was understood that the beef was cooked in another house occupied by the police, but no complaint was received from the owner of that house.

Replying to Mr. S. C. Roy Chaudhuri, the Hon. Mr. Reid said that possession of nearly fourteen places was taken under section 4 of the Bengal Emergency Powers Ordinance XI of 1931, for the accommodation of troops.

BENGAL DETENUS TO DEOLI

Answering Dr. Naresh Chandra Sen-Gupta on August 10, the Hon. Mr. R. N. Reid, Home Member, stated that 93 detenus had been transferred to Deoli Detention Jail. As to on what principle they had been selected, Government were not prepared to give the information. Administrative control of the Deoli Detention Jail is in the hands of the local administration of Ajmer-Merwara. Government of Bengal bear the cost of running the jail and are consulted on any questions on which their advice may be required. Replying to a supplementary question the Hon. Member said that it was intended to send more detenus there.

PRISONERS IN DETENTION

Replying to a question by Mr. Syama Prasad Mukherjee on August 23, 1932 the Hon'ble Mr. R. N. Reid stated that 21 persons were now in detention without trial under Regulation 3 of 1818, while the total number of persons in detention under the Bengal Criminal Law Amendment Act, 1930, was 1,136 of whom 11 were females.

The number of persons now in detention under the Special Powers Ordinance was 7.

Of the 21 detained under Regulation 3 of 1818, 20 have been kept in jails outside Bengal while one has been kept in a Bengal jail.

Of the persons kept in detention under the Bengal Criminal Law Amendment Act, 1930, 196 males have been kept in the Bengal jails and 138 males have been interned in Bengal villages, while 699 males have been confined in detention camps in Bengal and 92 males have been imprisoned in jails outside Bengal.

Of the 11 females detained under the Bengal Criminal Law Amendment Act, 1930, 10 have been imprisoned in the Bengal jails while one has been interned in a Bengal village.

DIETARY ALLOWANCES TO DETENUS

Replying to a question by Mr. Shyamaprosad Mukherjee in the Bengal Council on August 17, asking for information as to the dietary allowance

now being given to detenus in Bengal and outside Bengal and the dietary allowances given to detenus during the years 1924, 1927, 1930 and 1931 in Bengal and outside Bengal and enquiring whether it was a fact that some months ago the dietary allowance had been reduced by nearly 50 p.c., the Hon'ble Mr. R. N. Reid, Home Member stated that Government was not prepared to supply such details as had been asked for but admitted it to be a fact that the allowances had been reduced, though not by as much as 50 p.c. These allowances, the Home Member further stated, which were based on experience of actual costs, were subject to revision from time to time. They also varied according to the place of confinement and the local cost of living In reply to a supplementary question the Home Member stated that certain reductions in allowance had been made in the Berhampur Detention Camp as a measure of punishment. He further stated on August 25 that the allowance sanctioned for one detenu in Rajshahi district was reduced because the District Magistrate reported that the reduced allowance would be adequate.

DACOITIES IN BENGAL

In reply to an enquiry regarding the number of dacoities in Bengal, the Hon'ble Mr. R N Reid gave the following figures on August 19, 1932.—

	1930					1931				
	Number of dacoities committed (true cases)	Number of dacoities detected	Number of cases that ended in conviction	Number of dacoities that could not be detected or traced at all	Number of cases that failed for want of proper evidence	Number of dacoities committed (true cases)	Number of dacoities detected	Number of cases that ended in conviction	Number of dacoities that could not be detected or traced at all	Number of cases that failed for want of proper evidence
Bakarganj	43	17	12	26	5	66	24	17	42	7
Bankura	22	1	1	21	—	22	2	—	20	2
Birbhum	37	7	3	30	4	54	7	3	47	4
Bogra	26	10	5	16	5	81	8	4	73	4
Burdwan	94	12	5	82	7	104	21	10	83	11
Chittagong	15	6	4	9	2	44	6	1	38	5
Dacca	68	10	5	38	5	150	26	11	123	15
Darjeeling	7	1	—	6	1	10	1	1	9	—
Dinajpur	60	7	2	53	5	126	10	6	116	4
Faridpur	12	2	2	10	—	33	6	5	27	1
Hooghly	45	4	3	41	1	56	21	4	35	17
Howrah	33	4	1	29	3	46	7	3	39	4
Jalpaiguri	20	1	—	19	1	41	5	2	36	3
Jessore	18	9	6	9	3	32	8	5	24	3
Khulna	35	5	2	30	3	63	8	7	55	1
Malda	21	5	2	16	3	64	8	1	56	7
Midnapore	143	10	3	133	7	261	17	6	244	11
Murshidabad	32	9	6	23	3	51	16	11	35	5
Mymensingh	64	21	10	43	11	117	22	7	95	15
Nadia	64	5	4	59	1	106	18	8	88	.10
Noakhali	2	2	1	—	1	1	—	—	1	—
Pabna	22	4	2	18	2	43	6	5	37	1
Rajshahi	24	5	4	19	1	54	13	8	51	5
Rangpur	89	5	1	84	4	152	14	7	138	7
24-Parganas	81	22	4	59	18	98	32	11	66	21
Tippera	26	8	5	18	3	44	11	5	33	6
Total	1103	192	93	911	99	1929	317	148	1611	169

BENGALI CONSTABLES

Replying to Mr. Shanti Shekhareswar Ray on August 26, 1932, the Hon'ble Mr. R. N. Reid stated that the number of Bengali and non-Bengali police constables recruited since January 1, 1932 was 314 and 845 respectively. Asked what steps had been taken to recruit Bengalis as constables, Mr. Reid stated that the recruitment in the Bengal Police was open to Bengalis just as much to any other class. He further stated that the Government was not aware of a feeling of dissatisfaction amongst the people of this province over the employment of persons from outside Bengal in this police force.

ABDUCTION CASES IN BENGAL

Replying to Mr. Kishori Mohan Chaudhuri on August 25, 1932, the Hon. Mr. R. N. Reid said that a statement had been laid on the Library Table showing the total number of cases of abduction in the province from 1926-31.

It would appear from the statement in question that the total number of cases of abduction in the province which was approximately 830 in 1926 had gradually risen to 898, 976, 1057, 991 and 993 approximately in 1927, 1928, 1929, 1930, and 1931, respectively. Of these, the number of cases in which the victims were Hindu women varied between 400 and 450 during the same period.

The number of cases in which the assailants were Mahomedans and the victims Hindu women varied between 125 and 150 The number of cases in which the assailants were Hindus and the victims Mahomedan women were 6, 3, 9, 8, 6, and 7 respectively during the period The number of cases in which the assailants were Mahomedans and the victims were Mahomedans varied between 500 and 575.

It would appear from the statement that the district of Mymensingh topped the list where the total number of abduction cases was 169, 207, 188, 250, 154 and 204 respectively in 1926. 1927, 1928, 1929, 1930 and 1931. Barisal district comes next which recorded 114 such abduction cases in 1926, this rising to 178 in 1928, and varying between these two figures during the other years. The city of Calcutta recorded 63 such cases in 1926, 84, 71, 80, 73 and 75 in other years respectively. 24-Parganas recorded such cases between 72 and 52 in these periods. The district of Jessore recorded 17 such cases in first two years (1926 and 1927) and the highest figures was reached in 1931 when it was 24 The district of Burdwan Bankura and Birbhum recorded such cases between 5 and 15. In the district of Rungpur it started with 41 cases rising up to 73 in 1931.

SPECIAL ORDINANCES TO COPE WITH ABDUCTIONS

A suggestion to promulgate an Ordinance to cope with the situation created by the increase in the number of abduction cases in Bengal was made by Mr. Kishori Mohan Chaudhuri in the Bengal Legislative Council on August 30, 1932.

After referring to the number of abduction cases from the year 1926 to the year 1931, the Hon'ble Mr. R N. Reid stated: "It does not appear from the percentage of cases detected to cases reported that the police are incapable of coping with these crimes. The desirability of (i) enacting any special law to meet the situation; or (ii) recommending to the Governor-General-in-Council to promulgate an Ordinance as has been undertaken to cope with certain other movements did not therefore arise."

ABDUCTION CASES AND CONVICTIONS DISTRICT BY DISTRICT

Replying to a question by Mr. Satish Chandra Ray Chaudhury on September 1 1932 regarding the number of abduction cases and convictions, district by district, from April 1931 to March 1932, the Hon'ble Mr. R. N. Reid laid the following statement on the table:

Name of district.	Number of cases of abduction.	Number of convictions.	Number of acquittals.	Remarks.
Burdwan	4	—	4	
Birbhum	8	2	—	
Bankura	6	1	2	3 cases pending.
Midnapore	18	2	16	
Hooghly	21	2	5	3 cases pending.
Howrah	7	—	2	
24-Parganas	40	11	28	1 case pending.
Nadia	31	7	16	
Murshidabad	10	3	1	1 case pending.
Jessore	19	6	12	1 case pending.
Khulna	24	3	19	1 case pending.
Dacca	37	5	32	
Mymensingh	177	24	56	
Faridpur	35	1	10	
Bakarganj	95	13	41	
Rajshahi	38	5	21 (including cases discharged)	
Dinajpur	34	3	11	
Jalpaiguri	20	5	5	2 cases pending.
Darjeeling	6	2	2	1 case pending.
Rangpur	61	2	46	13 cases pending.
Pabna	25	5	13 (including cases discharged).	7 cases pending.
Bogra	22	9	8	
Malda	5	—	1	
Chittagong	36	2	12	1 case pending.
Noakhali	1	1	—	
Tippera	16	2	14	
Chittagong Hill Tracts	6	2	4	
Calcutta	62	14	12	1 case pending in the Sessions Court.

ESTATES SOLD FOR ARREARS AT LAND REVENUE

Replying to Rai Satyendra Kumar Das Bahadur as to the number of estates that had been advertised for sale and actually sold in North and East Bengal since January 1932 for arrears of land revenue and cesses, the Hon'ble Sir Provash Chunder Mitter laid the following statement on the table on September 6, 1932:—

	FOR ARREARS OF LAND REVENUE.					For arrears of cesses.
Part of Bengal.	During 1930-31	During 1932.		During June, 1931-32.		From Jan. 1931, to June, 1932.
	Number sold.	Number advertised	Number sold.	Number advertised.	Number sold.	Number sold.
North Bengal	78	2,974	83	1,110	60	40
East Bengal	821	5,822	463	2,874	240	356

The Hon'ble Member further stated that the sale law was being administered with due regard to the difficulties of the defaulting proprietors and that the power of certificate procedure for the speedy realisation of rent was being granted freely in accordance with the terms and conditions laid down in Notification No. 10954 L.R., dated the 31st August, 1931, published in the "Calcutta Gazette" of the 3rd September, 1931.

254 ESTATES SOLD FOR ARREARS OF REVENUE

Hon'ble Sir P. C. Mitter stated that 254 estates in Chittagong were sold for arrears of revenue, out of which 100 were purchased by Government. Nine estates were sold at Khulna for arrears of cesses.

MOTOR VEHICLES TAX

Replying to Mr. S. M. Bose, the Hon. Mr. Bijoy Prasad Singh Roy stated that the total amount realised under the Bengal Motor Vehicles Tax Act, 1932 up to July 21 was Rs. 5,33,368-5 annas in Calcutta and Rs. 1,30,130-2 annas in other areas.

AGRICULTURAL DEBT

Replying to Rai S. K. Das Bahadur, the Hon'ble Sir Provash Mitter stated that the total amount of estimated debt of the agricultural population of Bengal was Rs. 100 crores and the total amount of loans advanced to agricultural credit societies by the Central Banks was Rs. 66,73,400 during the year ending 30th June, 1931.

EXPENDITURE ON ANTI-MALARIAL WORK

Replying to P. K Guha Hon'ble Sir A. K. Ghuznavi said that Government contributed the following for anti-malarial purposes in rural areas:—

1929-30—Rs. 62,000 1930-31—Rs. 80,000 1931-32—Rs. 80,866.

In addition, His Excellency the Governor of Bengal granted from his discretionary fund in 1930-31, Rs. 1,000 to the Central Co-operative Anti-Malarial Society for propaganda work in connection with the flushing of dead rivers and Government contributed Rs. 3,300 to that Society during the same year for anti-malarial purposes.

WARNING TO NEWSPAPERS

Replying to Mr. Satish Ch Ray Chowdhury in Bengal Council on August 9, the Hon. Mr. Reid said that on 34 occasions actions and proceedings had been taken against newspapers under the Press Ordinances since January to the end of July last, and 38 presses and newspapers had been warned.

The following papers among others were warned the number of times shown against them.

The Basumati	7 times
Advance	6 „
The Nayak	6 „
Amrita Bazar Patrika	5 „
Ananda Bazar Patrika	5 „
Bangabani	4 „
Voteranga	4 „
Liberty	2 „
India To-morrow	2 „
Prabasi	1 time.

Security was demanded from 17 newspapers of which the securities of 2 were forfeited.

BOMBAY LEGISLATIVE COUNCIL

THE second session of the Bombay Legislative Council opened at Poona on September 19, 1932. The House considered the Bombay Cotton Contracts Act, Bombay Finance Act, University Act Amending Bill, Representation of Depressed Classes in Municipal School Board, Bombay Municipal Act Amending Bill, etc.

SEPTEMBER 19, 1932.

BOMBAY COTTON CONTRACTS BILL

The Hon'ble Sir Ghulam Hussein Hidyatulla, General Member, introduced Bill 15 of 1932 (Bill to provide for better regulation and control of transactions in cotton in Bombay). The Bombay Cotton Contracts Act of 1932 would expire at the end of October, he said, and the present Bill was intended to take its place. He said that the principal features of the Bill are the power, Government proposed to take to recognise any association and to withdraw recognition from any association so recognised and certain emergency powers which the Government intended to assume for use in abnormal situations. Forward contracts were allowed. The Government's interference was aimed at suppressing the unawful interference of a third party. In this connection the Hon'ble Sir Ghulam Hussein referred to the practice of observing the hartal, closing of markets and boycott in cotton trade and stated that from January to August out of 159 working days, the market was closed for 93 days at the dictation of a third party which had nothing to do with the trade. Europeans and those Mahomedans who dealt in cotton were boycotted purely for political reasons. The boycott was applied to whole classes and communities for political reasons. The poor grower was thus adversely affected.

FIRST READING OF THE BILL

Mr. Angadi (Belgaum District) supported the Bill as in his opinion it was in the interest of the cotton grower. He said the poor farmers suffered [illegible] the boycott of exporting firms and the millowners buying foreign cotton.

[illegible] from Ahmednagar District, speaking on the Bill, denied that it was in the interest of growers. If the Government really wanted to protect the growers they should bring a measure to improve the cotton markets at [illegible] which is in a chaotic condition. The closure of the [illegible] market from January 4 to 15 was due to the unfortunate calamity [illegible] which was refused. The Bill was not likely to suppress the third party which interfered with trade and as such was of little [illegible] emergency measure, then there was no necessity to place [illegible] statute book. He said if the life of the Bill be [illegible] the House [illegible] persuaded to consider it favourably

[illegible] supported the Bill though he doubted its utility. He would let the Bill go to the [illegible] Committee.

[illegible] Suleman [illegible] said that legislation though not welcome was necessary to put an end to anarchical conditions in the cotton trade. He supported the Bill in consideration of the economic interests of the country. The [illegible] of trouble was hartals and the boycott which played havoc with the [illegible] of the cultivator. Cheap cotton means cheap goods, and that was one of the reasons for dumping. The East India Association was help-

less to cope with the situation. The situation was appallingly grave and the trouble not temporary.

Mr. Kale (Satara) offering constructive proposals said that clauses nine and ten should be modified. He said that the Associations might be suspended for six months if they failed to enforce Government conditions and they should be given an opportunity to state their case before suspension. He wanted the Bill to be sent to the Select Committee.

The discussion of the Bill was adjourned.

SEPTEMBER 20, 1932.

BOMBAY COTTON CONTRACTS BILL CONTINUED

The Council resumed discussion on the first reading of the Bombay Cotton Contracts Act Bill.

FIRST READING OF THE BILL PASSED

Khan Bahadur Vakharia, a specially nominated member for the Bill, said that there was serious interference from a third party. The market was open only for three days in the week causing great loss. He considered clauses nine and ten necessary for the better regulation of trade.

Mr. Bakhale wanted to regulate the activities of the speculators. He wanted to know how many organisations had demanded the Bill. No Association had demanded it. The Government had failed to put an end to these things by ordinances and they would not succeed in suppressing them by this Bill. Hartals were not confined to cotton trade alone. Merchants when it suited their purpose entered into agreement with the Congress.

Sir Ghulam Hussein replying to the debate said that there was no divergence of opinion about the fact of interference by a third party. The Bill was not of Government seeking but was forced on them. Nobody in the Council had suggested alternatives to impose. Prominent members of the East India Cotton Association had requested the Government to help. Government wanted to help these members to carry on free trade.

Afterwards the Bill was put to vote and carried.

SECOND READING OF THE BILL

The second reading was moved by Sir Ghulam Hussein.

AMENDMENTS LOST

Rao Bahadur Kale moved the amendment to refer the Bill to the Select Committee but it was rejected by 20 for and 63 against.

Mr. Kamat's suggestion to put off the consideration of the Bill till the next day was not accepted by the Leader of the House.

Mr. Gokhale of Poona moved an amendment restricting the life of clauses nine and ten to two years.

Mr. Kerwada moved an amendment to Mr. Gokhale's amendment that the period of clauses nine and ten be limited to five years. The leader of the House accepted the latter amendment and said that the Government did not want the powers permanently as the Bill was an emergency measure.

Then the Council resumed consideration of the Bill clause by clause.

SEPTEMBER 21, 1932.

MOTION FOR ADJOURNMENT DISALLOWED

Rao Bahadur Chitale moved the adjournment of the House to discuss the Home Member's statement on September 20 regarding the release of Mahatma Gandhi on the eve of the fast to starve himself to death till joint

electorate was accepted for the depressed classes. The mover characterised the statement as disappointing inasmuch as it was his opinion that Gandhiji should have been unconditionally released.

The President said that he had accepted the motion but the Governor, in exercise of his special powers, had disallowed it on the ground that it was detrimental to the public interest.

SEPTEMBER 22, 1932.

STANDARDISATION OF WEIGHTS

Sir Rustom Vakil, Minister for Local Self-Government, introduced the Bombay Weights and Measures Act. In doing so, he said that standardization of weights and measures was bound to give the people a sense of security, and enable them to expand their trade. Uniformity would improve inter provincial trade, which had been retarded owing to different kinds of weights and measures being used in different parts of India Mr. Vakil went on to trace the history of the efforts which had been made to legislate for the whole country. He said that a committee was appointed by the Government to consider the question in 1923 and it submitted its report in May 1924. The present Bill was based on its recommendations.

Mr Gangoli of Kanara District moved two amendments.

Replying, the Member-in-Charge stated that he was not prepared to guarantee that the Act would apply only to traders and would not affect anything produced by agriculturists. He however, assured the member that it was only intended at first to apply the Act to big towns.

General support was given to the measure, several members suggesting action to prevent the public from being cheated.

The first reading was passed, and the bill referred to a select committee

BOMBAY FINANCE ACT PASSED

The Council passed through all the stages of the Bill to amend the Bombay Finance Act, which is intended to remove certain doubts as to the interpretation and effect of Section 18 of the Bombay Finance Act, 1899.

AMENDED BOMBAY HEREDITARY OFFICES ACT PASSED

The Bill further to amend the Bombay Hereditary Offices Act of 1874, which was the next to be taken up, empowers the Collector to delegate to the Mamlatdar and the Mahalakaris the power to determine heirs of the inferior village servants so to avoid delay and inconvenience. An appeal from the decision of these village officers is provided for in the Bill.

The Bill, with minor changes, was passed.

BILL AMENDING BOMBAY POLICE ACT REJECTED

Introducing the next piece of legislation, a Bill to further amend City of Bombay Police Act of 1902, the Hon'ble Mr. W. F. Hudson, the Home Member, paid a glowing tribute to the work of the Bombay Police during the last communal rioting when they had been subjected to great strain. He said that whenever there was rioting or disorder simultaneously taking place in different parts of the City of Bombay, it was impossible for the Officer in charge of a section to be present at the very place within his section where it may be necessary to disperse an unlawful assembly. This defect in Section 19 of the Bombay City Police Act of 1902 was keenly felt during the recent communal riots in the City. It was therefore proposed to amend Section 40 to empower any Police Officer, not lower in rank than that of a Sub-Inspector or Sergeant, to disperse an unlawful assembly.

Mr. J. B. Petit of the Bombay Millowners' Association, opposed the first reading of the Bill. He asked the House to reject the Bill as it did on two previous occasions when the matter had been very carefully considered. He did not think that the Home Member had brought forward any fresh grounds to justify the measure. In his opinion it was unsafe to arm the Sergeants and Sub-Inspectors with powers proposed to be given to them. He submitted that services of Honorarv Magistrates and J. P.'s may be utilised on such occasions.

Mr. Winterbotham suggested that onlv such sub-inspectors and sergeants as had ten years' service should be armed with power to disperse unlawful assemblies by force if necessary.

Mr. V. N. Surve, Mr. Wale and Mr. Gokhale thought that it would be unwise to give such wide powers to junior officers.

The Home Member, Mr. W. F. Hudson, replying said that after hearing the opposition arguments he remained unrepentant. Replying to Mr Refiuddin Ahmed, the speaker said that Government took public opinion into consideration and added that during the riots all the newspapers in Bombay but one had abused the police for not stopping the riots and one of the powers that the force then lacked, he thought, was the one it was intended to give them by the Bill. If the riots started again, as they inevitably would at some future date, it should not lie in the mouth of the House to say that the Government had not done this or that.

The motion for first reading on being put to the House, was rejected.

SEPTEMBER 24, 1932.

BOMBAY LOCAL BOARD ACT

The Bombay Council considered the motion for first reading of the bill further to amend the Bombay Local Board Act, 1932 which aimed to provide the new District of Dadu in Sind with a local board. Government is arming itself with the power in the case of default in respect of performance of duties by the District Local Board imposed on it by enactment other than the District Local Board Act. Further power is being taken to dissolve the local boards during the term of office of its members and establish new ones to function temporarily pending the election of new boards when limits of their districts or talukas have been altered.

During discussion several suggestions and alterations were suggested by Rao Bahadur Kale.

Rao Bahadur Bhimbhai Naik dealing with criticism that members would be put out of office who had spent money on their elections.

Sir Rustom Jahangir Vakil explained that it was the intention of the Government to nominate 99 per cent. of the old board on the newly constituted one. The Legal Remembrancer to the Government then explained what action was intended.

SEPTEMBER 26, 1932.

BOMBAY AND FEDERAL FINANCE REPORT

Mr. G. L. Winterbotham moved: "The Council is of the emphatic opinion that the report of the Federal Finance Committee is not acceptable to Bombay, inasmuch as it is proposed that provincial contributions to the Federal Government be assessed in proportion to their share of the income-tax receipts. These would deprive Bombay of the bulk of their additional, expanding revenues without which provincial autonomy is doomed to failure from the outset. So long as such contributions are necessary, they should be assessed, half on a population basis and half on the basis of the total

revenues of each province, which is more suited to the capacity of individual provinces to pay."

The mover observed that the reatest for the new constitution so far as the provinces were concerned would be, not whether there would be separate or joint electorates or safeguards but whether there would be sufficient money to support a strong and stable Government. He concluded by asking the House to send His Excellency the Viceroy a strong recommendation, and to make it plain that Bombay meant to have justice.

The House received the motion very well, and accorded it strong support

DISCUSSIONS ON COMMUNAL AWARD

Rao Bahadur G. K. Chitale moved the following motion: "As the Communal Award recently given by the Prime Minister appears to be generally unacceptable, this Council appoints the following members to form a Committee to suggest an agreed solution, if possible, as far as this Presidency is concerned, on the basis of joint electorate with reservation of seats fixed by the Award: Sir Ghulam Hussain Hidayatullah (Chairman), Dr. Ambedkar, Sir Shah Nawaz Khan Bhutto, Moulvi Sir Rafiuddin Ahmad, Mr. Winterbotham, Mr. Prater, Dr. Collaco, Rao Bahadur Bhimbhai Naik. Rao Bahadur Angadi, Rao Bahadur Asavle, Mr. B. S. Kamat and the mover." The mover observed that the different communities, like Mahomedans and Europeans, might get higher representation by joining general electorates The speaker illustrated his remarks with examples, and concluded by saying that he thought his suggestion, if adopted, would be in the best interests of the Presidency.

Moulvi Sir Rafiuddin Ahmad traced the history of communal representation from 1892 to 1908 in the Councils and from 1884 to 1908 on the local bodies, adding that Mahomedan representation on both was almost nil, while the seats were being filled by caste Hindus. He was not in favour of the proposal to go back to joint electorates with reservation of seats. If within the next ten or fifteen years Hindus regarded Mahomedans with the same love as they now did, they would shake hands. At present, what they wanted was a legal claim, and he hoped that they would excuse the Mahomedan community, if they did not accept the invitation.

Mr. Winterbotham, on behalf of the Chambers of Commerce and the European community, did not think he could accept the motion. He said that Europeans, though they would only have six seats in Bombay, would be able to do useful work. Besides, they, as well as the members of the Chambers of the Commerce all over the country, would prefer men of their own choice.

At this stage, the mover asked for leave to withdraw his motion, which the House granted and adjourned.

SEPTEMBER 27, 1932.

BILL AMENDING BOMBAY MUNICIPAL BOROUGHS ACT PASSED

Dewan Bahadur D. R. Patil of East Khandesh introduced a Bill 12 to amend the Bombay Municipal Boroughs Act 1925 by giving option to Municipalities, whose income was less than two lakhs of rupees, of appointing, if necessary, a non-graduate as its Chief Officer. Several members supported the motion for the first reading but three or four members spoke against it on the ground that it was lowering the standard of qualification for the Chief Officer. Proviso to the effect that the appointment of such a non-graduate should be subject to the previous sanction of the Government was accepted by the mover.

Rao Bahadur Kulkarni, however, proposed a further amendment that such a non-graduate must have passed the examination of the local Self-Government Institute. This on being put to vote was lost and the second and the third readings were put to House and passed.

REPRESENTATION OF DEPRESSED CLASSES IN MUNICIPAL SCHOOL BOARDS

Rao Bahadur Bole then brought forward his Bill (Bill 24 of 1931) to secure representation for the backward and the depressed classes on the School Board of the Bombay Corporation.

Sir Rustom Vakil, Minister for local Self-Government, intimated that the Government would not vote but that official benches could oppose or support the first reading as they liked.

Dr. Alban D'Souza thought that the Bill was in the nature of aspersion on the composition of School Committees and went on to show that this was not justified in the case of the Bombay Municipal School Board, which, he said, had four backward and depressed classes representatives.

Mr. H. M. Rahimtoola was against the motion but considered that if representation was given, then his community should have a share.

The motion for the first reading was passed on division by 48 votes to 12.

SECOND READING OF THE BILL

During the second reading Rao Bahadur Kale proposed that the Bill be pubished for two months to elicit opinion. He was supported by Mr. L. R. Gokhale who said that other minor communities might wish to be heard. Dr. Solanki opposed the motion which was lost.

Rao Bahadur Kale then proposed that the Bill be spent to select com mittee which was also thrown out.

SEPTEMBER 28, 1932.

DEPRESSED CLASSES IN MUNICIPAL SCHOOL BOARDS

THIRD READING OF THE BILL

At the outset Sir Rustom Vakil read out a telegram to himself from the Mayor of Bombay deprecating introduction through a Bill of the principle of communal representation and asking that the Government should intervene and have the third reading postponed to enable the Bombay Corporation to make representation. While reiterating Government's intention to remain neutral, on the question, the Minister for Local Self-Government asked the member in charge of the Bill if he would ask for the postponement of the consideration of the Bill. The mover, however, refused to entertain any such proposal but Rao Bahadur R. Kale moved that the consideration of the Bill be postponed to the first day of the next session on which private business was to be taken up. This motion was carried to a division but was lost by 38 votes to 18, when the Bill was taken up clause by clause.

Sardar Modi moved an amendment that the number of reserved seats on the School Board be changed from 4 Mahomedans to two so that the backward classes should receive 4 seats instead of three and the depressed classes two instead of one; while Mr. L. R. Gokhale sought to have one Indian Christian added. Both Sardar Modi's and Mr. Gokhale's amendments were lost by a large majority.

Dr. Alban D'Souza characterised the Bill as a piece of legislation that would go to the root and shatter the constitution of the Bombay Corporation.

The third reading of the Bill was then put to the House and passed.

SEPTEMBER 29, 1932.

DECCAN AGRICULTURISTS RELIEF BILL WITHDRAWN

The Council took up discussion of the bill further to amend the Deccan Agriculturists Relief Act (No. 17 of 1879) the first reading of which was introduced by Mr. L. R. Gokhale, (Poona city). It was intended to narrow down the definition of agriculturists to such persons who owned land in their own right and personality engaged in agriculture, provided that their yearly income from sources other than agriculture did not exceed Rs. 500 and their net incomes from all services did not exceed Rs. 1,000.

At the present time, the mover said that such people as pleaders, doctors and others availed themselves of the benefits of the Deccan Agriculturists Relief Act, a larger part of whose income came from other sources.

Several members opposed the Bill. The Home Member said that the Government intended to oppose the Bill.

The mover, on this, withdrew his Bill.

BOMBAY MUNICIPAL ACT AMENDING BILL PASSED

Rao Bahadur S. K. Bole then introduced Bill No. V of 1932 which seeks to have a provision inserted in the City of Bombay Municipal Act, 1888 to penalise members of the Bombay City Municipality who fail to pay up arrears due by them within three months after special notice had been served on them. The penalty proposed is the same as that existing in the Bombay Municipal Boroughs Act of 1925 and the Bombay District Municipal Act of 1901, viz., that such a person ceases to be a member.

The motion for first reading was carried, and the House proceeded to discuss amendments. Rao Bahadur Asavle proposed an amendment giving six months' notice, which he said the Corporation and the Commissioner had accepted when the matter was discussed in the Committee.

Rao Bahadur Asavle's amendment was put to vote and lost and the Bill was passed into law.

UNIVERSITY ACT AMENDING BILL

The House next turned its attention to Bill No. VI of 1932, which is designed to amend the internal constitution and working of the Bombay University.It does not affect the constituion of the Senate or the allocation of powers as between the Senate and other University authorities, but deals chiefly with the reconstitution of the Syndicate, and the Academic Council so as to remedy certain defects.

Sir M. Rafiuddin Ahmad, ex-Minister for Education, thought that no case had been made out for so revolutionary a change in the constitution of the University.

Mr. Petit said that the Bill was not necessary. The opinion of the Syndicate, the administrative body of the University, was not before the House.

Dewan Bahadur Kambli, Minister for Education, replying to the debate, pointed out that it was not desirable to have one method of election for the Syndicate and another for the Senate. The principle of the Bill was to enable the Senate to force its will on the Syndicate. If the mover desired to have representatives on the Academic Council for four or five subjects, he had no objection, but the Government were not prepared to support any proposal for an alternation of the constitution of the Syndicate.

Further discussion on the first reading was then postponed.

SEPTEMBER 30, 1932.

UNIVERSITY ACT AMENDING BILL REJECTED

The Council resumed the discussion on Rao Bahadur R. Kale's Bill to amend the Bombay University Act of 1928. While expressing agreement with the mover that a necessity existed for remedying certain defects in the constitution of the University bodies, the members expressed themselves as averse to piecemeal legislation of the kind under consideration. Some thought that if the Hon'ble Minister would give an undertaking that a Bill of a more comprehensive character would be introduced, they would prefer that to supporting the present Bill.

The President reminded the House, at this stage, that if it was intended to have the scope of the Bill widened, that time would pass with the first reading, and the opportunity should be seized at once

The Hon'ble Sir G. Hidayatulla, Leader of the House, assured the members that the Government were prepared to make further inquiries as to the defects in the constitution of the Bombay University, and might appoint a committee to that end, and then bring forward a more comprehensive measure to remedy all the existing defects. He, therefore, joined the other side in asking the mover to withdraw the Bill.

The Hon'ble Minister in charge of Education stated that he would be guided by the opinion of the House.

The motion for the first reading was declared lost.

MINOR BILLS

Mr. Surve's Bill to amend the Bombay Villages Police Act was rejected.

Rao Bahadur Kulkarni's Bill to further amend the Deccan Agriculturists Relief Act of 1879 was, on the suggestion of the mover, referred to a select committee with instructions to report within seven days.

Formal leave to introduce seven Bills was given by the House.

PLEA FOR MORE SESSIONS

Council discussed the motion, tendered in the form of an address by the House to H. E. the Governor, in regard to the desirability of holding three sessions of the Council in the year.

The Leader of the House, Sir Ghulam Hidayatullah, stated that the Government had every sympathy with the spirit of the motion. But to lay down a hard and fast rule would be premature He reminded the members that last year there had been four sessions. He advised the mover to withdraw the motion.

The House, however, continued to press for an assurance, that three sessions would be held. Some members complained that more time was not given to ventilate public grievances.

The Home Member, Mr. W. F. Hudson, said that the Government would take notice of the feeling of the House but said that the motion could not be accepted in the form in which it stood. After showing that it must cost the Government Rs. 18,000 for a session, Mr. W. F. Hudson reminded the House that it was one of the measures of economy forced on them.

MADRAS LEGISLATIVE COUNCIL

THE Madras Legislative Council opened on August 2, 1932. The Council discussed, among others, the Orissa Boundary Committee Report, Tirumalai-Tirupati Devasthanam Bill, Services Commission Act Amending Bill, State Lottery, etc., etc. An account of the proceedings follows date by date:—

AUGUST 2, 1932

DEMAND FOR SUPPLEMENTARY GRANTS

On the recommendation of H. E. the Governor, a number of demands for supplementary grants were moved by members of the Government.

GODAVARI IRRIGATION

The Hon. Sir Archibald Campbell moved for a grant of Rs. 58,300 for (a) diversion of Godavari flood bank at Patha Injaram set, Godavari Headworks Division, Rs. 100; (b) contribution towards the Central Board of Irrigation, Rs. 100; (c) purchase of two new dredgers, Kistna Central Division, Rs. 58,000 and (d) Diversion of Tambaraparni flood banks at Attur, Eral and Settupattu sets, Rs. 100.

The motion was carried and the grant was made.

BELLARY FAMINE RELIEF WORKS

The Hon. Sir A. Y. G. Campbell next moved that the Government be granted a further sum not exceeding Rs. 2,75,000 to provide for relief of distress in Bellary district.

Mr. R. N. Arokiaswami Mudaliar moving that the grant be reduced by Rs. 100, desired to draw the attention of the Government to the fact that the provisions of the Madras Famine Code were out of date, unjustifiable and in certain respects cruel also. India stood unique in the world in having such a famine relief code. Its provisions had got no parallel in the world. With regard to the Ceded Districts, the administration remained as it was 150 years ago. He also desired to know whether the Government was going to alter the policy underlying the famine code.

Mr. Koti Reddi spoke emphasising the importance of the Tungabhadra project and stressed the need to dig canals and other channels which might be useful when the Tungabhadra project was launched.

The Hon. Sir A. Y. G. Campbell said that the idea of the Tungabadhra project had not been given up. As soon as the Mettur project works were over, this subject would be taken up. The token motion was by leave withdrawn and the grant was made.

ORISSA BOUNDARY COMMITTEE REPORT

The Hon. Sir Archibald Campbell moved for the consideration of the Orissa Report. He gave the House an idea of the nature and implications of the recommendations of the Orissa Committee and invited the House to consider the more important points arising and express their opinion, for the present on the more general questions. The question of the formation of a separate Oriya Province, comprising all Oriya speaking peoples, had come up from time to time in the last thirty years as a result of the increasing consciousness of the ties of race, language and history. It was

in September last that the Government of India appointed a committee to examine and report on the financial and other consequences of the setting up of a separate administration for Orissa and make recommendations regarding the boundaries. The Government thought it most desirable that the recommendations contained in the report should be dealt with as quickly as possible, since the formation of a separate province for Oriyas would necessarily affect the strength of the Legislative Council in this province and the distribution of the memberships. Proceeding, the Hon. Member said that the new province would include the three districts of the present Orissa, an area of about 1,500 sq. miles from the Central Provinces and 18,000 sq. miles from Madras, comprising the Ganjam district, a part of Vizagapatam district and the Agency Tracts. Of the total area of the new province, nearly 36,000 sq. miles, half was obtained from Madras; of its total population, about 2¾ millions or nearly 25 per cent would be provided by Madras. The Committee had been particular to put the new administration on the most economical basis and they had provided for a Governor with two Ministers, a Revenue Commissioner, seven district officers and two District Judges a Development Commissioner, a Chief Engineer, and also Secretary, Inspectors-General of Prisons, Police, and Civil Hospitals, the last to be also the Director of Public Health. The number of superior officers, he said, had been kept as small as possible and for the All-India officers, it was intended to borrow from the neighbouring provinces. The financial position showed a basic expenditure of Rs. 152.50 lakhs against an income of Rs. 136.58 lakhs. This deficit was expected to mount up to Rs. 41 lakhs nearly and it was suggested the deficit should be met, not by the imposition of new taxation but by allocation of new sources of revenue or subventions from the Central Government or accommodation loans.

MOTION FOR DEFERRING DISCUSSIONS LOST

Mr. Basheer Ahmed then moved an amendment for the adjournment of the consideration of the report till the next Session of the Council and that in the meanwhile the other volumes of the report be made available to the members of the House. It was absolutely essential that the members should have those volumes and study the maps leisurely.

The Raja of Bobbili opposed the adjournment of the question. By the time the next Council met, he presumed the Government of India would have formulated its proposals on this important question and sent them to the Secretary of State.

Mr. Koti Reddi said that it was necessary that the Government of India should know the opinion of the legislature before the question was finally decided.

The motion was put to the House and lost, 19 voting for and 10 against, 6 remaining neutral.

AUGUST 3, 1932

TIRUMALAI-TIRUPATI DEVASTHANAM BILL

Dewan Bahadur C. S. Ratnasabapathi Mudaliar presented the report of the Select Committee on the Tirumalai-Tirupati Devasthanam Bill and moved that the Bill as amended by the Select Committee be taken into consideration.

MOTIONS FOR ADJOURNMENT OR CIRCULATION OF THE BILL LOST

Mr. Basheer Ahmed moved that the consideration of the Bill be adjourned to the next meeting of the Council or to some day which might be fixed for this purpose by H. E. the Governor. He did not wish this important measure to be passed in a hurry. This was an important measure in the

history of religious endowments. The Bill was a complicated one and was seeking to bring into existence a machinery, the implications of which were far reaching. No time had been allowed for the members to study the Bill in all aspects and send in amendments. Not a single amendment had been given notice of by the members.

Sir A. P. Patro opposed the adjournment saying that the very fact that members did not deem it fit to send any amendments showed that the bill did not require much detailed consideration. The subject had been before the public for a long time.

Mr. Mahomed Meeran Saheb moved another amendment that the Bill be circulated to elicit public opinion.

The motion to circulate the bill for public opinion was next put and lost. Mr. Basheer Ahmed's adjournment motion was put and lost.

DISCUSSIONS ON THE BILL

When the Tirumalai-Tirupathi Devasthanam Bill was taken up for consideration, the first five clauses, constituting chapter I of the Bill, were passed by the House without discussion.

CLAUSE 6

Clause 6 of the Bill related to the appointment of a Committee for the administration of the Devasthanams and was in the following terms:—

6. (1) The committee shall consist of seven-members of whom four shall be elected by the Hindu members of the Madras Legislative Council either from among themselves or from others according to the principle of proportional representation by means of the single transferable vote in such manner as the President of the Madras Legislative Council may determine, and three shall be appointed by the Local Government of whom the Mahant, if willing to serve, shall be one.

The clause attracted a number of amendments but these were all lost.

CLAUSE 18

Clause 18 was in the following terms:—"The Local Government shall appoint a Commissioner, who unless sooner removed by them for sufficient cause, shall hold office for a period of three years."

Mr Sami Venkatachellam Chetty moved an amendment to insert between the words "Commissioner" and "who", the words "from amongst the officers in Government service." He said that the chief executive functions rested with the Commissioner and very large powers would devolve on him as the Chief Executive Officer. They therefore expected the Officer to be thoroughly honest and active.

The amendment was by leave withdrawn and Clause 18 was adopted.

CLAUSE 36

Clause 36 specified the purposes on which the funds of the Devasthanams shall be spent and one of the purposes was stated as "the construction and maintenance of roads and communications and the lighting thereof."

Mr. Sami Venkatachellam moved an amendment to insert the words "for the benefit of pilgrims" after the word "communications."

Mr. Ratnasabhapathy Mudaliyar said that he had no objection to accept the amendment if the words "and worshippers" were also added to the amendment.

This was agreed to

CLAUSE 37

Clause 37 provided that without prejudice to the purposes set out in clause 36 any surplus funds of the Devasthanams might be spent among

others on "Any charitable, religious or educational purpose not inconsistent with the objects of the Devasthanams."

The Advocate-General moved an amendment to delete the words "not inconsistent with" and to substitute there for the words "consistent with and calculated to promote the." He said that he only followed the doctrine of "Cypre" and wanted to make the purpose more definite.

Sir A. P. Patro opposed the amendment and said that the words "not inconsistent with" appeared in the legislations that they had already passed and no difficulty was felt in the working of the Act. The doctrine of "Cypre" would, he was afraid, lead to complications.

The amendment was lost by 40 votes against 13.

The other provisions of the Bill were all duly adopted.

MEDICAL REGISTRATION BILL PASSED

Mr. Daniel Thomas presented the report of the Select Committee on the bill to amend the Madras Medical Registration Act, 1914 and moved that the Bill as amended by the Select Committee be taken into consideration. The bill seeks to remove the disability against a registered practitioner following any system of medicine other than allopathic and permit him to associate himself with a qualified practitioner of Indian medicine or with a qualified homeopath subject to certain conditions

The motion having been carried, he moved that the bill be passed into law. Mr. Hameed Khan, Mr. V. T. Arasu and Dr. Tajuddin supported the motion which was agreed to and the bill was passed into law.

BILL TO LIMIT BUS LICENCE FEES

Mr. F. Birley moved that the Bill to amend the District Municipalities Act, 1920, and the Madras Local Boards Act, 1920 be referred to a Select Committee consisting of the following members:—The Hon'ble Diwan Bahadur B. Muniswami Naidu, Mr. E. Conran Smith, Diwan Bahadur C. S. Ratnasabhapathi Mudaliar, Mr. Sami Venkatachalam Chetti The Raja of Kallikote, Mr. Basheer Ahmed Sayeed, Rao Bahadur T. M Narayanasami Pillai, Khan Bahadur T. M Moidu Sahib Bahadur Mr. B. P. Sesha Reddi, Mr. A. T. Luker, Mr. R. Foulkes and Mr F. Birley. In moving the Bill, Mr. Birley said, "The purpose of this Bill is perfectly clear. It seeks to limit the amount of the licence fee levied by a District Board on a bus to a maximum of Rs. 100. As is well-known at the present time District Boards are levying licence fees, which in some cases exceed Rs. 2,000 in the case of a single bus. It is evident that for some time the District Boards have looked upon the licence fee as a method of taxation and a source of income in return for the use of the roads. There are differing views as to whether in law a licence fee can so be used and it is interesting to observe that in a recent case arising out of the licence fee levied, on which matter this Bill endeavours to legislate, the views of two distinguished judges differed."

Mr. A B. Shetty seconded the motion which was carried with an amendment to add the name of Mr. Abdul Hameed Khan to the Select Committee.

OTHER BILLS INTRODUCED

The following bills were then formally introduced; A Bill to amend the Madras Impartible Estates Act (1904), by two members; The Kapileswarapuram Impartible Estates Bill by two members; the Mangavaram Anakapalli and Nakkapalli Impartible Estates Bill by eight members; a Bill to amend the Madras Local Boards Act, 1920 by two members; the Artisans Bill by

five members; a Bill to amend the District Municipalities Act 1920; and the Money Lenders' Bill.

AUGUST 4, 1932

ORISSA BOUNDARY COMMITTEE REPORT CONTINUED

RAJA OF BOBILLI'S AMENDMENT

The discussion was resumed on the amendment of the Raja of Bobbili on the Orissa Committee report, seeking to protest against the transfer of any part of Vizagapatam and Ganjam districts, south of the Rishya Kulya or the Agency tracts, to the proposed Oriya Province; and to urge that the formation of the new province should not entail any payment of subsidy from the Madras Presidency.

OPPOSITION TO THE AMENDMENT

Mr. M. G. Patnaik (Oriya) opposing the amendment said that once the Oriya Kingdom extended up to the Godavari but latterly it shrunk back. But the line proposed by the mover of the amendment would cut up the Oriya area into two parts. It would work a hardship on the aboriginal tribes whose greatest need now was to come under one administration. The Andhras opposed the transfer of the agency tract to the Oriya province because they feared that they would lose the benefits accruing from the Jeypore estate and the agency. But this consideration should not stand in the way of recognising the real facts of the case. It was not also correct to say that the officials of the Parlakimedi estate influenced the witnesses to give evidence in favour of Oriyas. Instead of splitting that estate, it was much better to agree with the recommendations of the majority report. As regards the financial deficits in forming the new province, he said it was not fair to impose on the new province the losses incurred by this Government, for example the Russelkonda Saw Mills which was a project embarked upon by this Government for commercial purposes. The Oriyas ought not to be made to suffer for the blunders committed by the Madras Government. The Central Government would surely be sympathetic in the matter of large deficits that had to be faced by the new province. When the question of the formation of the Oriya Province was discussed in the Assembly, the Finance Member said that the problem of meeting the deficits would be considered sympathetically.

MR. BASHEER AHMED SYED'S AMENDMENT

Mr. Basheer Ahmed Syed moved an amendment to omit the words "and the transfer of any areas in which aboriginal tribes are in the majority" in the amendment given notice of by the Raja of Bobbili. He said that when the agency tracts were transferred to the new province, it would be the duty of the new province to look after the agency tracts. In spite of several lakhs of rupees that were budgeted for the development of the agency tracts, the Madras Government had not done much to develop those tracts. For the last two decades attempts were being made to bring into one group all those who were speaking one language. If the amendment of the Raja of Bobbili was accepted as it stood, the whole object and the agitation to have a new Oriya Province would be defeated. He did not think it was just and fair to the people of the agency tracts to include those tracts in the Telugu provinces. The Khonds and Savaras spoke the Oriya language. That language was being taught in the schools opened for the children of Khonds and Savaras. The officers who had to serve in these tracts, were absolutely required to pass the Oriya test. When that was the position, the aboriginal tribes who were in a majority should be allowed to be transferred

to the new province of Orissa. Further, he understood that the Khonds and Savaras who were in Orissa were looked after much better now than the Khonds and Savaras under the Madras Government. If they analysed the amendment of the Raja of Bobbili, they would find that it was defeating the very purpose for which an Orissa province had to be formed. His amendment was intended to group together all those who now inhabited the Ganjam and Vizagapatam districts speaking the Oriya language and following the Oriya culture, into one group and to transfer them to a new province. He was of opinion that the latter part of the amendment regarding subvention or contribution was not happily conceived. It was unreasonable and unjust.

THE DEBATE

Mr. K. Koti Reddy said that the fear of a deficit in revenue by the formation of a separate province should not deter them from accepting a new province, if there was a necessity for it on linguistic and racial basis. Any area in which there was a preponderance of Oriyas should go to Orissa and any portion where there was a preponderence of Telugus should be retained in Madras. Proceeding on the subject, Mr. Reddi pointed out that in areas where the population of Oriyas and Telugus were more or less equally divided other considerations should prevent. He did not recommend the transfer of Parlakimedi to Orissa, and said that in a matter of this kind the wishes of the zemindar should not count for much. In the case of Agency tracts the Government should allow the aboriginal tribes to develop their own culture and language and leave them alone until they were in a position to decide what they wanted. He did not see why this concession should not be allowed to them and he also failed to see any particular reason why the Oriyas wanted to take the aboriginal tribes with them. Mr. K. Koti Reddi, continuing, said that it would be in the interests of the aboriginal tribes that they should continue to remain in the Madras Presidency.

Mr. V. T. Arasu said that the House being a deliberate body, was not fitted to lay down what the boundary line between the Oriya Province and this province should be. It was clear that the report was not satisfactory to either Oriyas or Andhras. There was no ground for the apprehensions entertained by the Andhras that if certain portions of Ganjam and Vizagapatam districts were handed over to Orissa, they would suffer. The amendment of the Raja of Bobbili looked like an omnibus one, containing three or four different ideas, each of which had better be dealt with separately.

Mr. R. N. Arogyaswami Mudaliar said that in trying to fix the boundaries of a new province, absolute logic was impossible. To arrive at a decision about boundaries they must more or less fix an arbitrary line. The boundaries fixed in the amendment would be predominantly unfair. There was absolutely no doubt that they must put the Parlakimedi Estate with the Andhra country. Putting Parlakimedi in the Orissa Province was a flagrant mistake. The balance of convenience about what were known or doubtful areas—Telugu or Oriya—would be to retain those areas as they now existed. It would be a fair line of boundary if they fixed along the line of Berhampore taluk. The division of areas under one irrigation system into two parts was not a difficult thing. Such divisions were existing in Northern India and no difficulty was being experienced. To divide Rushya Kula system of irrigation was not a difficult affair and they need not trouble themselves much about it.

Mr. A. V. Bhanoji Rao said that it was agreed on all hands that there should be an Oriya province. But the difference of opinion between the Oriyas and Andhras was in the matter of the dividing line between the two

areas. There was also the consideration how far it was wise to have a province with a deficit of 4 lakhs every year, amounting to 40 lakhs in the near future; but that was a matter for the Government of India and the proposed province. On the question to whom Ganjam and Vizagapatam areas really belonged, he was in a position to give historical facts to show the claims of Andhras for this area. He also objected to tacking on the Agency to the province to be, especially when they are going to make a beginning with such a large deficit. The amendment of the Raja of Bobbili would meet most of these disputed points and it was the most convenient arrangement that could be made of the boundary.

Mr. R. M. Palat said that the separation of Orissa should be allowed only on the understanding that other linguistic groups would also be similarly gathered within one province. Perhaps a referendum, as was adopted in Europe, in the settlement of Central European nations, might be adopted to solve this problem of linguistic minorities in the disputed area. The arguments that some of the feeders of the Godavary lay in the Agency tract or elsewhere and therefore they should form part of Andhra Desa would not be valid; because, in that case, the Madras Presidency could surely lay a claim to the whole of Mysore territory.

MR. AHMED'S AMENDMENT LOST

Mr. Basheer Ahmed's amendment (to include predominantly Oriya areas of Vizagapatam districts and the Agency in the new province) was put to the vote, and declared lost.

RAJA OF BOBBILI'S AMENDMENT CARRIED

The Raja of Bobbili's amendment was then put to the House and carried.

MR. MUDALIAR'S AMENDMENT

Mr. Arokiaswami Mudaliar then moved an amendment to the effect that the cases of all proposed linguistic Provinces which are not found self-supporting should lie over till the new Federal Government is constituted. He said that once the idea of the formation of the Oriya province was given effect to, they could not very well keep back and deny the claims of other linguistic areas in this presidency to cut themselves away from their present moorings and form new provinces. He admitted the case of the Oriyas was stronger than that of other linguistic areas because they were now divided up in three provinces and it was certainly desirable that as far as possible they should be placed under one Government. Still, he thought that it was absolutely necessary that at the transition stage they should come to no decision that would embarrass the Government to come.

Mr. C. Satyanarayana Chaudhury said that it seemed to him that in the creation of a Federation for India all provinces and the Federal Government would have to meet with initial deficits. Till these matters were fairly clearly settled and things were set up on a satisfactory basis, Mr. Choudhury proposed the question to be kept pending.

Mr. G. Simhachalam Pantulu said that while he was quite willing that the Oriyas should have a separate province, he did not know whether it was yet time for it. The fundamental defect of the present committee's report seemed to be that they had not considered all aspects the problem,—e.g. financial difficulties, the difference of opinions of high officials and non-officials, the problem of the aboriginal tribes. He opined that till all these points were fully considered, the question of the new province be deferred.

Mr. C. K. Reddy said that no new province should be formed unless there was a fair prospect of its being financially self-sufficient. He felt. therefore that the House should support the amendment.

Mr. Patnaik said that the problem of the Oriyas was unique. This community was now cut up in four different parts. Unless they were brought together under one administration, they could not be able to solve their peculiar difficulties and disabilities under which they were now suffer ing. His contention was that before a Federal Government was formed, the question of the Oriyas ought to be solved. Therefore he opposed the amendment. It would only shelve the problem for ever.

Mr. Koti Reddi opposed the amendment. The question of finance was not a very material point to settle the question whether an Oriya province was necessary or not. The question of forming an Oriya province had nothing to do with the Federal Government.

Mr. T. S. Ramaswami Aiyar further opposed the amendment. He said that in the previous resolution, the House had agreed to the proposition that the formation of a new province for Oriya was necessary. He therefore did not know the purpose of this amendment. It was quite necessary to inform the framers of the new constitution that a new province had to be formed.

Mr. A. Ranganatha Mudaliar further opposed the amendment saying that this House on a previous occcasion had agreed to the proposition that there should be a separate province for the Andhras. He did not see therefore how this House could deny the same privilege to the Oriyas also. He thought it was quite necessary that they should state whether they were really for a province formed for the Oriyas.

MR. MUDALIAR'S AMENDMENT LOST

The amendment was put and lost, 'yeas' being 22, 'noes' 25 and neutrals 29.

NO-CONFIDENCE MOTIONS IN LOCAL BODIES

The Hon'ble Mr. B. Munuswami Naidu introduced Bill No. 9 of 1932 for amending the District Municipalities Act and moved that it be referred to a Select Committee of the mover and fifteen other members He said that this aimed at amending certain provisions of the Act relating to the moving of no-confidence motions on the Chairmen and Vice-Chairmen of local bodies There had been a large number of cases recently in which motions of no-confidence against the President and Vice-President or Chairman or Vice-Chairman of some of these bodies had been moved on the same day of the election and had been refused admission. The Bill provided against abuses of this kind by requiring a two-thirds majority in support of the motion, and laying down that if a motion was rejected or otherwise disposed of, there should not be a second motion within the next six months. He had intended originally that the Bill should be immediately considered and passed into law but in view of the fact that various amendments had been tabled and many members desired it should be considered by a Committee, he was willing it should be referred to a Select Committee.

Mr. Ahmed Meeran opposed reference to Select Committee and urged immediate consideration of the Bill on the ground that the abuse of this right of moving no-confidence motion had, in several cases, become so glaring that the sooner the state of things was remedied, the better it would be.

Mr. V. T. Arasu said that he had expected the Chief Minister to have moved for the immediate consideration and passage of the Bill, having regard to his statement that the privilege was being so grossly abused.

Mr. V. T. Arasu at this stage asked for leave to move that the Standing Order 39 be suspended with a view to increase the strength of the Standing Committee and read the names of the five members he desired to include in the Select Committee.

This motion was duly seconded, put to vote and lost. The motion to refer the bill to the Select Committee was next passed.

LOCAL BOARDS ACT AMENDING BILL

The Hon'ble Mr. B. Muniswami Naidu introduced the bill to amend the Madras Local Board Act and moved that the bill be referred to the same Select Committee which had been constituted to consider the District Municipalities amending bill. He said that the object of this bill also was the same as that of the previous one.

The motion after it was duly seconded was put and carried.

SERVICES COMMISSION ACT AMENDING BILL

The Hon'ble Sir A. Y. G. Campbell next introduced the Bill to amend the Madras Services Commission Act of 1929 and moved that the Bill be taken into consideration at once. He said that the object of the Bill was to bring into line two provisions of the Act with the rules formulated by the Secretary of State for India regarding the appointments of the Chairman and Commissioners of the Public Services Commission. The General Service Sub-Committee of the Round Table Conference had recommended certain proposals and the Secretary of State for India in giving effect to those recommendations framed a set of rules. The Bill only sought to comply with those rules. There were two important provisions in the Bill; one was the Chairman and Members of the Commission be appointed by the Governor. Now the rule was that they be appointed by the Governor-in-Council, its alteration was to change the words "Governor-in-Council" into "the Governor." The other important provision was that the Chairman and the Members of the Commission would not be eligible for appointment to any other offices and should not accept any other offices also. This provision was in conformity with rule 13 of the civil service rules.

DISCUSSIONS ON THE BILL

Mr. V. T. Arasu said that it would be better if the Governor had the advice of those who enjoyed the confidence of the people in the matter of these appointments. The amendment was subversive of democratic principles.

Mr. A. Ranganatha Mudaliar thought that when the Public Services Commission Bill was considered, the words "Governor-in-Council" was deliberately put in.

The Hon'ble Sir A. Y. G. Campbell pointed out that the amendments were brought forward in compliance with the recommendations of the Services Sub-Committee of the Round Table Conference. The object was to place these appointments above political influences. The Secretary of State for India, as he had already pointed out, had framed rules based upon the recommendations of the Sub-Committee and the amendments only sought to give effect to those rules. These appointments in future had to be made either by the Governor or the Governor-in-Council. If the amendment was not passed now, no Chairman to the Madras Services Commission could be appointed now.

Mr. Basheer Ahmed said that the explanation of the Revenue Member was unconvincing. If the appointments were to be made by the Governor. it did not mean that he would not take advice from other people. Governors would come and go in five years. When they came out, they would be most uninformed and they had to seek the advice of some people to know the conditions here. He would have to depend for information upon his Secretary or the Chief Secretary. If, in the future constitution, responsi-

bility was to be realised to the fullest possible extent, Ministers ought to have a voice in such appointments.

MOTION FOR SELECT COMMITTEE LOST

Mr. R. N. Arokiaswami Mudaliar, at this stage, moved that as there appeared to be a difference of opinion in the subject, the bill be referred to a Select Committee. He thought that this was the most desirable course under the circumstances.

The Hon. Mr. B. Muniswami Naidu opposed the motion and said that during Select Committee deliberation on the original bill this point was thoroughly discussed. Mr. Ranganatha Mudaliar and Mr. Arogyaswami Mudaliar then were in favour of the power being vested in the Governor alone. The reason then given was that these appointments should be beyond political influences. As for the argument that the Gorvernor would not be in a position to make the appointments without advice, he would say that the present alteration was better. If it was Governor-in-Council, the former would not have the power to veto in case he did not favour the choice. If it was Governor alone, then, he could take the Ministers' advice if necessary and then act upon it or reject it. The Governor's hands would be unfettered in making these appointments. He did not think any purpose would be served in referring the question to the Select Committee.

Mr. R. N. Arokiswami Mudaliar said that the remarks of the Chief Minister raised suggestions of bigger issues. He asked if in the future constitution the Governor was going to have the power of veto even in the matter of appointment. If full provincial autonomy was granted, he was of the view that the Chief Minister would occupy the supreme position. He thought the Governor's powers would be seriously limited.

The motion to refer the bill to a Select Committee was next put and lost, 18 members voting for the motion and 38 against.

SECOND READING OF THE BILL

The main motion that bill be taken into consideration was then put and carried.

The President then proceeded to put the bill clause by clause. The clauses and the preamble were all passed without any discussion.

THIRD READING OF THE BILL

The Hon. Sir Archibald Campbell, then moved that the bill be passed into law.

Mr. V. T. Arasu, opposing it, said that in no democratic country was any appointment made by the head of the State except on the advice of the Ministers. There was no guarantee that by vesting this right with the Governor, there would be party influences operating at all.

The President put the motion to the vote of the House and declared it carried.

MOTION FOR STATE LOTTERY

Mr. M. S. Sreshta in moving a resolution for the organisation of a State lottery said that in almost every European State, except perhaps England, lotteries were organised as normal sources of revenues. Continuing, Mr. Sreshta said that what was considered by responsible people in Bombay to be proper could not be disposed of by people in the Madras Presidency as wrong. Whenever a demand was made for new schemes of improvement in any department of Government, the plea of lack of funds was put forward. The State lottery was a means of revenue which could be utilised for the purposes stated in the resolution. Moreover a large amount of money was drained away from India to Ireland and Goa. They

must either stop this drain by instituting a State lottery or prohibiting other lotteries.

THE DEBATE

Mr. T. S. Ramaswami Aiyar opposed the resolution. He said that it was absolutely wrong and un-moral for the State to run a lottery. Any difficulties in the financial situation must be faced squarely and straight. He did not believe that situation was so bad in Madras as to drive them to desperation. Even then they ought not to consent to the State having recourse to dubious methods. In his opinion there was a case for prohibiting even some of the private lotteries, which the Government winked at.

Mr. M. G. Patnaik opposed the resolution. He did not think the raising money from lottery was very different from obtaining money from selling liquor and other alcoholic beverages. It was un-moral, he said, and it was an exploitation of the imprudent.

The Hon. Mr. H. G. Stokes opposed the resolution. He characterised the mover's picture of the financial troubles of the Government as highly coloured and exaggerated. He referred to the evils of the system of a State lottery as described by the Parliamentary Committee in England, and quoted the Lord Chancellor's objections both from economic and moral standpoints. In the Madras Presidency whatever the application of law might be, lottery was illegal. He could admit that it was possible in some respects the law was not enforced. That was one thing. But it was quite a different thing that the State should come forward and itself induce people to take to gamble. That was what the State lottery would mean. He then read from the Dublin Mercantile Association's protest against State Lottery in Ireland and their direct evidence of the actual pernicious effects of such a system. He regarded it a serious thing that the Government should come forward and set an example to the millions in the desire to get rich quick and get something for nothing. Extra-taxation was no doubt a detestable thing. But he would rather have it, than resort to a method which would strike at the economic morale of the whole population.

Mr. Sami Venkatachalam Chetti opposed the resolution as it might encourage habits of extravagance in the State. He thought the present attitude of Government towards the private lotteries should be not to give permission and not to prosecute unless there was fraud or prospect of fraud.

The Hon. Sir M. Krishnan Nair, Law Member, replying, said that the Government generally refused permission for these lotteries, applications for which came in hundreds. Only in very few cases was permission in the sense that, while refusing sanction, they had also added the rider that the police would not prosecute the conductors of the lottery unless fraud was detected. From time to time very many applications for very laudable objects, such as the renovation of well-conducted schools, temples and churches came in.

RESOLUTION LOST

The resolution was then put to vote and lost, 14 voting for and 43 against, 4 remaining neutral.

BIHAR AND ORISSA LEGISLATIVE COUNCIL

THE Ranchi session of the Bihar and Orissa Legislative Council opened on August 29, 1932. The Council discussed a number of non-official bills, supplementarv demand for jails and pressed for immediate grant of provincial autonomy to Bihar and the constitution of a separate province for Orissa. The proceedings follow date by date:—

AUGUST 29, 1932

NON-OFFICIAL BILLS

The Council considered several non-official bills.

Mr. Kolhe moved for circulation of Local Self-Government Amendment Bill for abolition of Government nomination and making provision for selection of Musalmans, depressed class and ladies. The circulation motion on Mr. Kolhe's Bill was defeated by 22 to 45.

Mr. Kedar moved for circulation of Legal Practitioners Amendment Bill for amending section 19, which gives powers to the High Court to cancel pleaders' sanads, with a view to restricting its use to only professional misconduct. Mr. Kedar's Bill was debated for three hours and the circulation motion was declared carried by 36 for 27 against.

C. D. PRISONERS IN BIHAR

At question time the Government replied that the number of Civil Disobedience arrests was 9,624 and of them 8,520 had been convicted. 2,542 were undergoing imprisonment at present.

Replying to Mr. Kashi Prasad Pande, the Government informed that the total civil disobedience prisoners was 1,166 on August 1. Mr. Parakh was informed that prisoners were not allowed singing " Bandemataram " in jails on disciplinary grounds and the Government had not considered if the songs were objectionable.

AUGUST 30, 1932

NON-OFFICIAL RESOLUTIONS

The House took up for discussion several non-official resolutions.

DEBT CONCILIATION BOARD

Mr. Chandanlal's resolution, recommending the formation of a debt conciliation board, to relieve the agriculturists of their heavv indebtedness, was carried.

DISTRIBUTION OF FINANCIAL BURDEN

Mr. T. C. Sahkre (Depressed classes, nominated), moved a resolution recommending to the Government to communicate to the Government of India its considered opinion that, in the forthcoming financial settlement, the interests of the agricultural provinces should not be subordinated to those of the industrial provinces, and that in the event of a Federation materialising, the financial burden should be evenly distributed among every member of the Federation. The resolution was passed unanimously.

REDUCTION OF GOVERNMENT SERVANTS' SALARIES

Mr. D. Y. Rajurkar moved that, in view of the prevailing low prices and economic depression, the scale of Government servants' salaries be

brought down to the pre-War level. Seth Sheolal supported the motion, while Mr. Fulay and the Government members opposed it. The Home Member, the Hon'ble Mr. Raghavendra Rao, said that enough reduction had already been made in accordance with the retrenchment scheme. Efficiency was sure to deteriorate if public servants were dissatisfied. When a division was pressed, 21 voted for and 22 against the resolution.

SUPPLEMENTARY DEMAND FOR JAIL

The Government's supplementary demand of Rs. 34,000 for improving the hospital and other accommodation in the Camp Jail, Patna-was discussed.

COMPLAINTS ABOUT TREATMENT TO POLITICAL PRISONERS

Rai Bahadur Dwarkanath complained about the treatment of political prisoners in the Camp Jail. The accommodation provided was not at all enough. He characterised the jail as a cattle-shed and hoped that the Government would apply the same principle of jail administration as was followed by civilised Governments. He stated that there was a largei incidence of sickness among the political prisoners in the Patna Camp Jail than elsewhere in the province. He appreciated the little improvement brought about by Sir Sultan Ahmed's recent visit to the jails, but it was not all that they had wanted. He suggested that opportunities and facilities be given to non-official members of the Council to visit jails.

Mr. Godawaris Misra suggested that either the Patna Camp Jail be converted into a regular jail, with suitable accommodation for political prisoners or it be abolished altogether.

Mr. Rajandhari Sinha suggested improvement in hospital accommodation with a view to preventing sickness among the prison population.

Mr. Davis, Judicial Secretary, stated that they were doing all that was possible to provide conveniences for political prisoners. The Member-in-Charge of Jails recently paid a surprise visit to the Camp Jail, Patna, and had satisfied himself that the complaints were not justified. The Inspector-General of Prisons had a letter from Maulvi Abdul Bari, one of the Provincial Congress Dictators, who was lodged in the Patna Camp Jail, stating that the jail authorities were doing all that was possible for his medical treatment and that he was getting proper diet.

DEMAND VOTED

The demand was voted by the Council.

SEPTEMBER 1, 1932

MOTION FOR WITHDRAWAL OF ADDITIONAL POLICE

Mr. Srikrishna Prasad moved for the withdrdawal of the additional police from Barbigha and Tarapur areas in Monghyr District. He said that the object of the Government in quartering additional police in those areas had been served, as quiet and peace had been restored and there was no justification now for retaining the police there. The strength of the Government lay in the contentment of the people, and it was time the Government rallied round the forces of goodwill.

GOVERNMENT POINT OF VIEW

The Hon'ble Mr. J. T. Whitty, on behalf of the Government, maintained that no cause had been shown for the withdrawal of the police. The securing of law and order was an essential duty of the Government and as Member in charge of Law and Order, he expected support in his effort to

maintain order. In the matter of law and order they could not take risks. They should not be influenced by sentimental appeals.

The resolution was carried by 40 votes against 35.

MOTION FOR EXEMPTION FROM INCOME-TAX PROCEEDS

Rai Bahadur Lashmi Prashad Sinha next moved a resolution regarding the exemption of the province from income-tax proceeds. Under the Percy Committee report, the province would get a financial settlement by which it would have a bare surplus of two lakhs. With this precarious margin the province was to satisfy its future needs and take its rightful place among the autonomous provinces. Bihar, with its rich mineral resources, and paying 1 crore salt tax, and 9 crores of Customs and Excise duties to Central Government was not a poor land, but poverty was imposed upon her. The members strongly held that no mere paraphernalia of political institutions would help to make the people contented and happy.

GOVERNMENT SUPPORT FOR THE MOTION

Sir Sultan Ahmed, Finance Member, said that it would be a matter of grave anxiety to the people of the province, if the new Government, responsible to the wishes of the legislature, be called upon to start work with such inadequate resources, that it would be immediately faced with the alternatives of retracing all the progress made in the beneficent departments or effecting such a great reduction in the departments which formed the framework of the administration as would endanger the whole fabric of Government.

PROTECTION FOR SUGARCANE GROWER

Mr. Mahomed Shafi moved a resolution demanding protection in the interest of sugarcane growers. Mr. Shafi contended that the sugar industry was benefiting only the mill-owners. Sugarcane growers were fighting a losing battle. He suggested as a measure of protection the fixation of a minimum price for sugarcane by millowners.

Lt. Col. Lees suggested legislation for fixing a minimum rate.

Mr. Prior, Revenue Secretary, on behalf of the Government, said that there was no reason for interference by the Government in the ordinary rules of supply and demand. The only solution, as suggested by the Tariff Board, to absorb the increased output of sugarcane, was to establish new mills.

The resolution was ultimately withdrawn.

SEPARATE ORISSA PROVINCE

Rai Bahadur Lashmidhar Mahanti moved a resolution urging the immediate constitution of a separate Orissa Province. He gave a detailed history of the Oriya movement for separation and contended that the financial question presented no such difficulty as made to appear.

All Oriya members strongly supported the resolution.

The Hon'ble Mr. Whitty, on behalf of the Government, welcomed the discussion and announced that Government would take no part in the voting.

Bihari members, led by Mr. Sachchidananda Sinha, extending support to the demand for a separate Orissa Province, stated that so far as Singhbhum was concerned, it was now a closed chapter and would continue to form a part of Bihar and it was very unlikely that the Government of India or the Secretary of State would go beyond the recommendation of the O'Donnell Committee on the matter.

The resolution was unanimously passed by non-official members.

SEPTEMBER 3, 1932

MOTION FOR PROVINCIAL AUTONOMY CARRIED

Discussions on Rai Bahadur Lashmi Proshad Sinha's resolution demanding full measure of provincial autonomy with responsibility at the Centre without further delay to allay discontent and remove the uncertainty of the future were resumed. The mover pleaded for proceeding ahead with constitution-making in a manner which would secure the satisfaction of all progressive parties. He added that delay and suspense were giving rise to discontent and provincial autonomy without simultaneous or almost simultaneous responsibility at the Centre would not be acceptable to a large section of politically-minded people.

DISCUSSIONS ON THE MOTION

The Hon'ble Mr. Whitty, explaining the attitude of Government, stated that they would not participate in the debate nor in the voting, but would welcome any suggestions made by members and would forward the proceedings to the Government of India.

All non-official sections of the House supported the resolution prominent speakers being Messrs. Sachchidananda Sinha, Srikrishna Prashad, S. M. Hafiz, Dwarkanath Bhagwati Saran Sinha and Lakshmidhar Mahanti.

Mr. Sachchidananda Sinha replying to the suggestions that the delay was due to Indian side stated that they were not going to have an imposed constitution but an agreed constitution. Sir Samuel Hoare was responsible for the delay by changing the procedure. He would not mind 100 Round Table Conferences until they obtained an agreed constitution.

Mr. Dwarkanath Bhagwati Saran Sinha and Mr. Srikrishna Prashad were of opinion that without full measure of responsibility at the Centre, mere provincial autonomy would be a mockery and delusion. Ordinances alone would not help to remove the tension, but what was required was to remove the underlying causes thereof by conferring real responsibility both on Provincial and Central Governments.

Khan Bahadur Yehye said that thev were themselves responsible for the delay by not coming to an agreement among themselves on communal problem.

Mr. Mahomed Shafi asked for a federal type of constitution for British India alone with autonomous provinces and one-third representation for Moslems at the Centre.

RESOLUTION PASSED

The resolution was passed unanimously by non-official members.

OTHER RESOLUTIONS

Two resolutions, one regarding increased admission to Darbhanga Medical School and the other claiming the right of election of non-official chairmen for the District Boards of Chota Nagpur Division, were ultimately withdrawn after discussion.

COUNCIL PROROGUED

The Council was then prorogued.

C. P. LEGISLATIVE COUNCIL

THE C. P. Legislative Council which opened on August 25, 1932 discussed among others, the Communal Award and the alleged police excesses in the Amraoti Jail.

AUGUST 25, 1932

OFFICIAL BILLS

Mr. P. S. Deshmukh, Minister, presented the report of the Select Committee on the Indian Tolls Bill, which the House passed.

Mr. Rao, Home Member, introduced the Central Provinces Courts Amendment Bill. Mr. K. P. Kolhe urged the circulation of the Bill. The Home Member agreed to the request.

Mr. H. C. Gowan, Finance Member, introduced the Central Provinces Land Revenue (Third Amendment) Bill, which the House passed.

Rai Bahadur G. P. Jaiswal, Minister, introduced the Central Provinces Village Sanitation and Public Management Amendment Bill which the House, on the motion of Mr. M. P. Kolhe, agreed to circulate.

Mr. P. S. Deshmukh (Education Minister) introduced the Central Provinces Primary Education Amendment Bill. The House agreed to circulation of the measure on the motion Mr. Kantikar.

Rai Bahadur G. P. Jaswat's Central Provinces Local Self-Government (Second Amendment) Bill was referred to a select committee.

Mr. G. H. Gowan introduced the Central Provinces Local Fund Audit Bill, and moved that it be referred to the select committee. Mr. C. B Parakh vehemently criticised the Audit Department, and pressed for its circulation to elicit public opinion. The House however agreed to refer the measure to a select committee by 33 votes against 6.

Mr. Rao, Home Minister, moved that the Central Provinces Medical Registration Amendment Bill be referred to a select committee. Mr. Kantikar urged circulation, but the House agreed to refer it to a select committee without a division.

MOTIONS FOR ADJOURNMENT DISALLOWED

Motions for adjournment of the House to protest against the "inhuman and humiliating treatment of Civil Disobedience prisoners" was declared inadmissible on technical grounds.

AUGUST 26, 1932

ADJOURNMENT MOTION ON COMMUNAL AWARD

Mr. R. A. Kanitkar of Buldana moved an adjournment motion to discuss the Premier's Communal Award, as far as it effected the province. Mr. Kantikar said the award had created communal electorate even in the case of ladies. It had created three new communal electorates. The speaker expressed surprise that the award granted the Musalmans 14 seats, while the Local Government had recommended only 10. The Government have created an atmosphere unsuitable for a peaceful solution of the communal problem.

DISCUSSIONS ON THE MOTION

Mr. Shareed challenged Mr. Kanitkar's right to condemn the award when the Premier was given a blank card, and considered it too late to

impeach the same. He warned the majority communities that unless mutual confidence was created, joint electorates were impossible.

The Honourable Rao, Leader of the House explaining the Government attitude said the Government did not desire to participate in the discussions. He asked the House not to minimise the outstanding features, viz., it was still open for the different communities to arrive at an understanding. Concluding he appealed to the people to accept the award unanimously, or produce another agreement.

Mr. Mangalmurti of the Peoples Party opposed the award not because the Muslims got more seats, but because the award made it difficult to uproot communal and separationist tendencies which were detrimental to national interest.

Mr. Gavai, a nominated member of the Depressed Classes, considered separate electorates for depressed classes as a disgrace as they would pernon-official jail visitors to obtain first-hand information. He wanted the award be withdrawn.

Rao Bahadur Naidu, Leader, Democratic Party stood for joint electorates, but did not know whom to blame when he remembered that the award was the result of unsettlement among themselves.

Khan Bahadur Mirza Rahaman Beg, Reverend Rodgers Sakhare (depressed nominated) and S. M. Rahaman opposed the adjournment motion and considered the award satisfactory.

Mr. Purakh said the award was fundamentally wrong in principle.

MOTION TALKED OUT

The motion was eventually talked out.

FINES IMPOSED IN C. D. CASES

Replying to Mr. Malvi the Hon'ble Mr. E. Raghevendra Rao, Home Member, informed the House that the total amount of fine imposed on persons in connection with the civil disobedience movement during the seven months ending in July amounted to Rs. 83,637.

AUGUST 27, 1932

TREATMENT OF POLITICAL PRISONERS

Mr. B. G. Khaparde, Leader of the Nationalist Party, moved an adjournment motion to discuss the treatment of political prisoners in the Amraoti and Raipur jails. Mr. Khaparde, in moving his motion, said that '"inhuman treatment" was meted out to political prisoners in the Raipur and Amraoti jails. It was an open secret, he said, that the Government wanted to crush all that was connected with the Congress. He felt that the authorities of the jails, in their enthusiasm, had gone too far. It was not possible to prove each and every case by unimpeachable evidence, as it was not possible for non-official jail visitors to obtain first-hand information. He wanted the House to recognise that many of the political prisoners were drawn from the highest strata of society. He asserted that the accounts published in the newspapers were more reliable than all the denials from the Government benches.

DISCUSSIONS ON THE MOTION

The Home Member opposing the motion said that the attack of the mover was unfounded and unjust. For the last few months, incessant propaganda was being carried on through the vernacular press against jail officers. He most emphatically repudiated the allegation that the officers of the Government were deliberately resorting to harsh treatment of prisoners to suppress the Civil Disobedience movement. He wanted the House to take

him at his word and not to exaggerate matters. On receipt of information of maltreatment, the Commissioner of Berar was directed to make enquiries into the allegations. After the receipt of the Commissioner's report he made personal enquiries at Amraoti and took necessary action.

Mr. R. W. Fulay (Labour), pointed out that the trouble was due to clumsy classification of political prisoners

Mr. B. V. Choubal supported the motion, because he thought that the sooner an enquiry was made into the allegations, the better it would be for all.

Lt.-Col. Powell, Inspector-General of Prisons, said that he had personally satisfied himself that all the prisoners in the Raipur and Amraoti jails were comfortably lodged. The allegations in respect of food and water-supply were unfounded.

MOTION TALKED OUT

Lt.-Col. Powell had not finished his speech, when the President declared that the motion had been " talked out."

NON-OFFICIAL BILLS

The House disposed of several non-official bills.

Mr. Gavai's Public Places User Bill was referred to a Select Committee.

Seth Thakurdas Goverdhandas's Public Gambling Amendment Bill was lost by 29 votes against 30.

Mr. Patil's Village Panchayat Amendment Bill was referred to a Select Committeee

The Municipalities Amendment Bill introduced by Seth Thakurdas, was thrown out, the Government opposing it.

Mr. Singhai's Juvenile Smoking Amendment Bill was also thrown out similarly.

AUGUST 31, 1932

ENQUIRY ON POLICE EXCESSES

Mr. T. J. Kedar, Leader of the People's Party, moving a resolution asking the Government to dispense with the services of Mr. C. Harvey, Superintendent of the Amraoti Jail, for " abuse of authority ", regretted that though four months had elapsed since the deplorable incidents in Amraoti Jail, yet the Government report was not made available to them. He was surprised to hear the other day, that the Government thought these allegations to be a tissue of falsehood. Two facts emerged from the discussion on Mr. Khaparde's adjournment motion, that 913 political prisoners were locked up inside the barracks from the 22nd April to 24th April, and that a conditional offer of food and water was made to these prisoners. The prisoners refused to come out of the barracks in two's. Mr. Kedar pointed out that within four hours of Mr. Harvey's taking over charge, pandemonium prevailed, and prisoners were subjected to the most inhuman treatment.

Mr. E. Gordon, Chief Secretary, said that on the 21st April, the prisoners were determined to create a pandemonium. They refused to come out of the barracks. The prison was in a state of mutiny. He could not see how they could punish an officer on hearsay-evidence. They would be doing a great injustice to the officer by punishing him without trial.

Mr. M. Y. Shareef, Leader of the Muslim Party, said that already great misgivings were lurking in the minds of the minority communities about their fate in the future constitution. The House by accepting a resolution of this type, would confirm those misgivings.

Rev. R. C. Rogers, representing Anglo-Indians, said that he demanded justice for all. He suggested that a committee of enquiry be asked to examine the case.

The Hon'ble Mr. E. Raghavendra Rao said that the Government's intention was not to shield any wrong-doer, but the Government would not sacrifice, on the grounds of political exigency, any public servant.

RESOLUTION WITHDRAWN ON GOVERNMENT ASSURANCE

Mr. Kedar said that he would withdraw his resolution, in case the Government agreed to institute an enquiry by a committee consisting of the Home Member, Mr. Khaparde, Leader of the Nationalist Party, Rao Bahadur K. S. Naidu, Leader of the Democratic Party, Mr. C. B. Parekh, Mr. M. Y. Shareef and the mover.

On the Home Member signifying his assent to Mr. Kedar's proposal, Mr. Kedar begged the leave of the House to withdraw his resolution. The resolution was withdrawn.

MINOR RESOLUTIONS

BAR COUNCILS ACT

Mr. C. B. Parekh's resolution recommending to the Government to move the Governor-General to extend the provisions of the Bar Councils Act to the Central Provinces, was declared lost by 37 to 26 votes.

CONSTITUTION OF LOCAL BODIES

Rao Sahib U. S. Patil moved the appointment of a committee to overhaul the constitution of local bodies in the province. He pressed for the appointment of a committee. Mr. C. D. Deshmukh, Revenue Secretary, observed that it would be wise to wait for some time as the franchise recommended by the Indian Franchise Committee was the largest that could be managed. It was premature, he observed, at this stage to introduce reforms in the subordinate local bodies. The motion was lost by 41 to 18 votes.

AMRAOTI JAIL COMMITTEE

Rao Bahadur Naidu, leader of the Democratic Party, urged the Home Member to make an enquiry into the appointment of non-official visitors who are members of the Amraoti Jail Committee. Several other members favoured an enquiry. The Home Member assured the House that he would hold an enquiry permitting Rao Bahadur Naidu, Mr. B. G. Khaparde, Mr. T. J. Kedar, Mr. C. B. Parekh and Mr. M. Y. Shareef, Council Members, to be present at the time of enquiry. Party leaders agreeing, the mover withdrew the resolution.

CONDITION OF POLITICAL PRISONERS

At question time, replying to Mr. Parekh as to the unwillingness of the Government to intimate details about the condition of political prisoners, the Hon'ble Mr. Rao said that the Government were satisfied that every care was being taken of the prisoners' health.

COUNCIL PROROGUED

The Council session then closed.

ASSAM LEGISLATIVE COUNCIL

THE September Session of the Assam Legislative Council began on September 12, 1932 and lasted till September 17, 1932.

FINANCIAL POSITION OF THE PROVINCE

In opening the Session His Excellency the Governor of Assam said that in the current year the economic depression had grown intense and ultimate deficit on current year's working was expected to be 37 lakhs. He stated that the proposals of the Retrenchment Committee which were given effect to resulted in a saving of 15½ lakhs annually, and it was expected that the revenue expenditure would be reduced from 2 crores 97 lakhs in 1929 to 2 crores 40 lakhs in 1932. Touching upon the opium policy of the Government, His Excellency said that in the present state of finances of the province they could not afford to discard lightly any source of revenue. He expressed great alarm at the swelling tide of land revenue arrears in the province. The Government was inclined to think that that was largely due to inability to pay and that accordingly they were driven to make enquiries into the capacity of the people to pay the present revenue in the state of the existing prices. His own anticipation was that it was necessary to make a temporary reduction in revenue of many of the temporarily settled districts of the province to bring it more in keeping with the assets of the present time.

DELIBERATIONS IN THE COUNCIL

The Assam Opium Amendment and Assam Excise Amendment Bills were introduced and Assam Opium Smoking Amendment Bill was passed.

Khan Bahadur Keramat Ali's Assam Municipal Amendment Bill was passed.

A part of Rai Bahadur Nagendra Nath Chaudhury's resolution, recommending subvention from the central revenues for meeting the deficit of the province, protection of the North Eastern Frontier and administration of the occupied and backward hill areas, was carried unanimously.

The Council adopted the report of the Public Accounts Committee on Audit and the Appropriation Report of 1930-31 and voted demands for supplementary and excess grants.

The House agreed to circulate Maulvi Abdul Khalique Chaudhury's Assam Land and Revenue Regulation Amendment Bill of 1932 for eliciting public opinion. The Bill seeks to introduce in respect of sales of immovable property for non-payment of land revenue, the provision in vogue in respect of sales held under civil authorities, namely, of annulment of sales in which money due with compensation is deposited within 30 days from the date of sale.

Mr. Goswami's motion for the constitution of a Second Chamber in Assam was lost.

BURMA LEGISLATIVE COUNCIL

THE August session of the Burma Legislative Council commenced on August 6, 1932. A number of official bills were discussed and passed and demands for supplementary grants allowed. The proceedings follow date by date:—

AUGUST 8, 1932

OFFICIAL REPORTS AND BILLS

The Finance Member presented (1) the Report of the Committee on Public Accounts of the Burma Legislative Council on the Appropriation Accounts of the Government of Burma for the year 1930-31; and the Report of the Accountant-General, Burma thereon; (2) a statement of re-appropriations requiring the prior approval of the Burma Legislative Council; (3) report of the Finance Committee on the financial committee at separation, which opined that the points of difference be referred to a tribunal for arbitration at as early a date as possible.

The House passed Bills to amend Rangoon Hackney Carriages Act, Indian Stamp Act and the Burmese Financial Commissioner's Act.

The Bill to provide for compulsory vernacular education in specified areas was circulated for eliciting public opinion.

A bill further to amend the Burma Municipal Act, 1898 was taken into consideration and passed.

REDUCED DUTY ON CIGARETTES

Another bill was passed reducing the duty on cigarettes. The Bill prescribes duty at eight annas per thousand in case of cigarettes valued at Rs. 2 8 or less per thousand and at Re. 1-4 per thousand in other cases. The minimum duty of Re. 1-4 fixed by the Burma Cigarettes Duty Act 1931 has been found in practice to be too heavy for the cheapest classes of cigarette to bear. In 1931-32 the number of cigarettes fixed under the Act at Re. 1-4 was about 13 millions and that of cigarettes taxed at Rs. 2-8 about 300 millions.

AUGUST 10, 1932

MOTION FOR STATE LOTTERY IN BURMA LOST

Mr. U. Ba Tin (Thaton) moved that with a view to help local bodies with pecuniary assistance for carrying out works of public utility, such as the construction of hospitals, the carrying out of public health projects, viz., water supply scheme, etc., Government should raise funds by way of Lotteries as was being done in Ireland.

Non-officials urged the resolution particularly as Government was always saying 'no fund'.

The Judicial Secretary opposing the resolution remarked that Government sympathised with the mover's object, but objected it on principle. According to orthodox Buddhists it was sinful. Referring to Irish Sweeps takings, he said that it was an extremely expensive way of raising money. Besides, it would have a demoralising effect on the people who would be thereby encouraged in gambling.

The Finance Member explaining the difficulties of raising premium bonds remarked that such actions would impair Burma's credit.

The Home Member, U Ba, said that such a resolution would encourage gambling. He further pointed out that many murders in Burma were responsible to quarrel over gambling.

The motion was lost.

AUGUST 11, 1932

DEMAND FOR SUPPLEMENTARY GRANTS

LOAN TO CULTIVATORS

The Finance Member moved that a sum of Rs. 3,00,000 be granted to meet expenditure in connection with the issue of loans to cultivators with a view to alleviating the hardship experienced by agriculturists.

The grant was passed.

DEMAND FOR POLICE DEPARTMENT

The Home Member moved that a sum of Rs. 62,300 be granted to meet expenditure in the police department.

In an explanatory memorandum it was stated that consequent on the out-break of rebellion last year additional police-forces were quartered in the disturbed areas of the Tharrawaddy, Insein, Henzada, Thayetmyo and Prome Districts, the cost being recoverable from the villages concerned. To cope with the situation certain temporary police-forces were also sanctioned. The Inspector-General of Police, Burma, submitted proposals recently for the abolition of these forces and for the revision of the permanent forces of the five districts referred to, up to the 28th February, 1934. Pending examination of the proposals in detail, the Local Government sanctioned the revision temporarily from 1st July, 1932 up to the 31st August, 1932 (30th September, 1932 in the case of Thayetmyo) involving an increase in the permanent police-force of 2 Deputy Superintendents of Police, 3 Inspectors of Police, 1 Sub-Inspector of Police, 17 Station Writers, 133 Head Constables, 724 Constables, 10 Clerks and 2 Peons, at an estimated cost of Rs. 62,300 and authorised the incurring of expenditure in anticipation of the approval of the Legislative Council.

U Ba Than (Prome Town) moved that the demand for Rs. 62,300 under Police District Executive Force, etc. be reduced by Re. 1. He urged the desirability of releasing all rebel under-trial prisoners who surrendered through the Peace Mission or of their own accord in accordance with the Government's Proclamation.

Mr. H. L. Nichols (Chief Secretary) replying, said that in the present rebellion there were innumerable dacoities and murders. A great number of rebels had surrendered because the police had made the position too hot for them. He thought there was no better reason for letting loose under-trial rebels than there was for letting loose all the prisoners in the various jails. There might be a few cases where sympathy might be shown. Government were prepared to consider individual cases. He hoped the mover would withdraw his motion.

The Home Member, in his final reply to the debate, assured the mover that Government stood for law and order and that so long as the law was broken, so long would the offender be punished. They had commuted the death sentences in a large number of cases and promised to revise the sentences of long term prisoners after a time. He then read out the terms of

the various amnesty offers made by Government and said that certain types of rebels had been excluded from them. The rebels guilty of murder or dacoity were not given the benefit of the amnesty offer. He said if Government had erred, it was on the side of leniency. Government had to be judged on facts.

Thereupon the motion was withdrawn and the grant was passed.

EMPLOYMENT OF BURMESE CONTRACTORS

The Forest Minister moved that immediate action be taken to direct the Nawin Chaung into the Kanbila Chaung between Limbe and Kanbila villages at a cost of Rs. 22,300.

U Ba Than moved that the demand for Rs. 22,300 under Civil Works Communications, etc. be reduced by Re. 1, his object being to discuss the desirability of employing Burmese contractors and labour in the works. He mentioned an instance in Prome where contracts had been given to Indians and in cases where the Burmans got contracts much difficulty was put in their way.

Mr. C. Innes said that as far as employment of Burmese labour was concerned, that was being done. He promised to enquire into the complaints made by the mover.

The Forest Minister replying said he also wished to help the Burmans in obtaining contracts and obtaining work as labourers. Fifty per cent. of the contracts had already been given to Burmans in Prome and Tharrawaddy Districts. He had always done his best for the Burmans and he did not think it was necessary to give any assurance on that point.

Thereupon the cut was withdrawn and the grant was then passed.

PUBLIC ACCOUNTS COMMITTEE REPORT

The Finance Member moved that the Report of the Committee on Public Accounts of the Burma Legislative Council on the Appropriation Accounts of the Government of Burma for the year 1930-31 and the Report of the Accountant General, Burma, thereon be taken into consideration.

The report was adopted after some discussion.

The statement of re-appropriations presented to the Council on the 8th August was next adopted.

COUNCIL PROROGUED

After the transaction of the day's official business the Burma Legislative Council was prorogued.

NEXT GENERAL ELECTIONS

A Press communique announcing the dissolution of the present Burma Legislative Council and notifying the date of the next general elections which were to be fought on the issue involving the separation of Burma from India, stated:—

It has been decided to dissolve the Third Burma Legislative Council with effect from the 31st August, 1932. A notification calling upon all constituencies of the Council to elect members on or before the 14th November, 1932 will be issued on the 24th September, 1932. The poll will take place on November 9th; and October 7th and October 11th will be fixed for receipt of nominations and scrutiny of nominations, respectively.

INDIA IN COMMONS

THE questions and answers in the House of Commons relating to India are given below date by date.

JULY 5, 1932

ESTABLISHMENT OF JOINT SELECT COMMITTEE

Replying to Mr. Peter MacDonald, Sir Samuel Hoare declined to commit himself as to the date for the establishment of the Joint Select Committee on the Federal Constitution. He said that it must depend on the rate of progress in preparing the necessary materials.

ALLOWANCES TO DETENUS

Regarding detenus' allowances, Sir S. Hoare said that he had asked for, but had not yet received, a full list. He added that hitherto Rs. 5,000 had been allowed in respect of Mr. Sen Gupta.

JULY 11, 1932

TRANSFER OF CONVICTS TO THE ANDAMANS

Sir Samuel Hoare announced that the transfer to the Andamans had been approved of 100 convicted terrorists as a measure necessary in the interests of the gaol discipline which the terrorists had done the utmost to undermine.

SANKEY CONSTITUTION COMMITTEE

Major General Knox inquired in the Commons about the composition and functions of the Sankey Constitution Committee and also whether the deliberations of the Committee would be made the basis of a bill for submission to the Select Committee. Sir S. Hoare replied that the Sankey Committee would advise the Cabinet who would decide on the Bill before sending it to the Select Committee.

JULY 13, 1932

PROGRAMME OF CONSTITUTIONAL PROCEDURE

Replying to Mr. Morgan Jones's complaint that there had been the gravest departure from the Round Table Conference method of discussing and settling the Indian problem, Sir Samuel Hoare regretted that questions of procedure had led to misunderstanding even among themselves. He admitted that certain distinguished Indian public men were gravely anxious as to new programme and had protested against the programme of procedure. But at the same time he informed the House that he had communications from India, also from very representative Indian public men representing more than one great interest in India, strongly approving of the procedure. There was a substantial body of opinion in India strongly behind the Government programme of procedure. Proceeding, he said that he would feel if Sir Tej Bahadur Sapru and his colleagues were unable to co-operate with us in the later stages of the constitutional programme and

the period of co-operation was brought to a termination, as the result of misunderstandings that might be cleared up.

DEFENCE OF THE NEW PROCEDURE

Regarding the new procedure announced by himself, Sir Samuel Hoare said that he had satisfied himself that the continuous series of enquiries going on during the years past, necessary as it was, had nonetheless been one of the most disturbing factors of Indian political life. No one knew what was going to happen. Everyone would admit how disastrous from a business point of view was such a long period of long drawn-out uncertainties. Sir Samuel said that he had had representation after representation from Indians to bring to an end the period of suspense. In view of these representations, it seemed to Government that it was absolutely necessary to speed up the procedure. Further, it seemed quite essential that they could speed up the procedure, if they were going to advance by one Bill rather than by two Bills. If they adopted the Provincial Autonomy Bill first, and the Federal Bill subsequently, they might then have introduced provincial autonomy and might then have had a whole series of formal discussions going on at the Centre. There, therefore, would not have been anything like the same objection against a number of big formal ceremonial meetings going on in London, but it was clear to Sir Samuel that it was the general desire of the most politically minded Indians that they should proceed in one Bill. They therefore came definitely to the view that if they were to proceed in one Bill, they must speed up the procedure. Proceeding on the subject Sir Samuel Hoare stated, "We have attempted to adapt the procedure to two over-riding factors; first, the necessity of speed, secondly, there is the factor that in the ultimate resort it is Parliament that must take the final decision on any Government proposals. That factor has been made clear from the beginning of the discussion at the Round Table Conference. It has been made clear from time to time by Lord Irwin, the then Viceroy, and subsequently in the interchange of correspondence between Mr. Baldwin, the then Leaader of the Opposition and the Prime Minister. Somehow or other we have to adapt the procedure so that, on the one hand, we have speed and, on the other hand, we have the ultimate control of Parliament, and that within those factors by every means in our power we should maintain the Indian co-operation which has been of so great advantage."

NO BREAKING OF PLEDGES

Dealing with the criticism regarding the breaking of pledges given in the White Paper, Sir Samuel denied the charge and said, "The Prime Minister, in his statement, was very careful, and wisely so, to leave open exact methods of future co-operation." Referring to the failure of the communities to agree among themselves on the communal issue and the withdrawal of co-operation by Mahatma Gandhi, Sir Samuel said that the development of these features showed how very wise the Prime Minister was to give the pledge in general rather than in specific terms.

CONSULTATIVE COMMITTEE

In suggesting the kind of way in which they still hoped to get Indian co-operation, Sir Samuel said, "First of all, we are very anxious to have their continued co-operation on the Consultative Committee. We had hoped, when the Consultative Committee was formed at the beginning of the year, that it would be possible to make it a microcosm of the whole conference. We made it as representative as we ever could of the whole Round Table Conference. We gave an undertaking that reports of various committees which went to India should be put before them. It was clear to us that if

the Consultative Committee would help us with co-operation over this very wide field, not only would it be giving us a very valuable help but it would be enabling us here very much to speed up the programme and introduce a constitutional bill at a much earlier date. I still hope that with Indian co-operation the Consultative Committee may greatly help us over this very wide field covered by its agenda."

FINANCIAL SAFEGUARDS

Referring to the financial safeguards Sir Samuel Hoare continued: "Many Indians last year took the view that discussions of financial safeguards in the nature of things would take place much better informally and confidentially between individuals. As financial and commercial safeguards are mainly a question for traders, businessmen and financiers, it seemed to us that by this means we might be better able to bring individual Indians into direct touch with the people who in many cases really matter much more than politicians. There is not more than that in our minds."

JOINT SELECT COMMITTEE STAGE

Proceeding on the subject Sir Samuel said, "We are anxious to bring the Indians into consultation and co-operation with the Joint Select Committee before this House takes any final decisions, and it is our firm intention to make that Indian co-operation and consultation as effective as ever we can during the stage of Joint Select Committee. We believe that the Joint Select Committee will really be carrying on the spirit of the Round Table Conference, that it will be the spirit of the procedure of the Round Table Conference applied to particular conditions at the time. Moreover, at the Joint Select Committee, Indians will have the great advantage that they never would have had at the Round Table Conference of seeing specific proposals of the Government. Specific proposals of the Government will be put before the representatives of this House and the House of Lords and before the representatives of India and a discussion of that kind will be far more profitable than necessarily indefinite discussions of a large body like the Round Table Conference, where obviously the Government is not in a position to put its concrete proposals before the Conference for an overriding reason. The only place before which Government can put its specific proposals is Parliament itself."

Concluding Sir Samuel said, "I shall be glad to hear from British or Indian quarters any suggestions for fulfilling those conditions and carrying out our programme more effectively, more expeditiously and more sympathetically than the proposals I made ten days ago."

SUPPLEMENTARY QUESTIONS

Miss Rathbone (Independent) asked if Sir Samuel Hoare proposed to fill the gaps in the Consultative Committee caused by the resignation of three Indian Liberals by appointing any other representatives to the same body from moderate and nationalist opinion and, secondly, if he still meant to keep open the possibility foreshadowed in his speech of June 27 that it might be that the course of discussions at the Consultative Committee might prove that matters would not be ripe for formulation of definite proposals for consideration of the Joint Select Committee, without further consultations of a more formal character.

Sir Samuel Hoare replied: The statement is exactly as I made it ten days ago. As to the hon'ble lady's first question, I cannot answer it to-day.

OPINIONS ON SIR SAMUEL'S SPEECH

Sir Tej Bahadur Sapru, in course of a press statement, said on July 15, "Sir Samuel Hoare of course repudiates the charge that there has been

a breach of pledges. He has not attempted to explain away the very express and explicit statements in the speeches of the Prime Minister and Lord Lothian that the Round Table Conference will be re-summoned again for a final review of the work of the Committees. As regards speeding up, barring the repeated assertions that the new procedure is going to speed up the process of legislation there is nothing in the speech of Sir Samuel Hoare to substantiate this claim. I definitely learnt in England that the Conservative's plan was not to allow the Centre to be touched in any way before 1935 or 1936." Proceeding, Sir Tej Bahadur regarded with regret that Sir Samuel had deliberately decided to exclude politicians from discussions on financial and commercial safeguards. He said, "I can well understand financial experts being consulted on the technical side but it is a most dangerous proposal of Sir Samuel Hoare to exclude politicians from all discussions on financial safeguards. I really think the more Sir Samuel Hoare has tried to explain his position, the worse it has become."

Mr. M. R. Jayakar thought that the statement proceeding from the Secretary of State only deepened the fog already existing in the country instead of clearing it. Through all the words which Sir Samuel Hoare used, there was not one suggestion meeting the Indian point that the decisions in future would not be arrived at by joint agreement between the British and the Indian representatives. He refuted the statement made by Sir Samuel that the Consultative Committee was a microcosm of the whole conference and pointed out that it was only a Working Committee of the Round Table Conference intended to keep alive in India the work of the Round Table Conference on the clear assurance of the Prime Minister that its decisions would ultimately come before the Federal Structure Committee and the Round Table Conference for final review.

Sir Chimanlal Setalvad was of the opinion that while Sir S. Hoare's statement was conceived in a more conciliatory tone than his previous pronouncements, it did not remove or meet the real objection to the new procedure. He challenged Sir Samuel Hoare to publish the list of supporters, who, Sir Chimanlal was sure, could be no other than a handful of reactionaries. Even leading Moslems like Mr. Jinnah, would not be mentioned by Sir Samuel Hoare.

Sir Phiroze Sethna in a statement to press said that Sir Samuel took care not to reveal the names of the correspondents supporting his new scheme and he supposed that whilst those names would weigh with him and with the Diehard community in general, they certainly could not be names which would inspire confidence in the minds of the Indian public.

Sir Hari Singh Gour, interviewed on Sir Samuel Hoare's statement in the Commons, said: "The paramountcy of Parliament, now emphasised, was not part of the scheme of the Labour Government when they formed the R. T. C., which was intended to follow the Irish precedent in setting up an Indian Constitution by negotiation and treaty in which both parties were to possess equal authority."

COMMUNAL AWARD

THE failure of the various communities in India to come to an agreement in the Round Table Conference on the question of communal representations in the future administration of the country and the difficulties in the path of constitutional reforms made it necessary for the Premier to intervene in the matter as an arbiter and give a communal award.

PREMIER'S EXPLANATORY NOTE

In a note published in connection with the Award the Prime Minister explained the conditions under which he, on behalf of His Majesty's Government, undertook to arbitrate in the matter of communal differences. He said:—

"We never wished to intervene in the communal controversies of India. We made that abundantly clear during both the sessions of the Round Table Conference when we strove hard to get Indians to settle this matter between themselves. We have realised from the very first that any decision that we may make is likely, to begin with at any rate, to be criticised by every community purely from the point of view of its own complete demands, but we believe that in the end considerations of Indian needs will prevail and all communities will see that their duty is to co-operate in working the new constitution which is to give India a new place in the British Commonwealth of Nations.

SETTLEMENT SUBJECT TO REVISION BY AGREEMENT

Our duty was plain. As the failure of the communities to agree amongst themselves has placed an almost insurmountable obstacle in the way of any constitutional development, it was incumbent upon Government to take action. In accordance, therefore, with the pledges that I gave on behalf of the Government at the Round Table Conference, in response to repeated appeals from representative Indians and in accordance with the statement to British Parliament and approved by it, Government are to-day publishing a scheme of representation in Provincial Assemblies that they intend in due course to lay before Parliament unless in the meanwhile the communities themselves agree upon a better plan.

We should be only too glad if, at any stage before the proposed Bill becomes law, the communities can reach an agreement amongst themselves. But guided by the past experience, the Government are convinced that no further negotiations will be of any advantage and they can be no party to them. They will however be ready and willing to substitute for their scheme any scheme whether in respect of any one or more of Governor's provinces or in respect of the whole of British India that is generally agreed and accepted by all the parties affected.

CASE FOR SEPARATE ELECTORATES

In order to appreciate the Government's decision, it is necessary to remember the actual conditions in which it is being given. For many years past, separate electorates, namely, the grouping of particular categories of voters in territorial constituencies by themselves have been regarded by

minority communities as an essential protection for their rights. In each of the recent stages of constitutional development, separate electorates have consequently found a place. However much Government may have preferred a uniform system of joint electorates they found it impossible to abolish the safeguards to which minorities still attach vital importance. It would serve no purpose to examine the cause which in the past have led to this state of affairs. I am rather thinking of the future. I want to see the greater and the smaller communities working together in peace and amity so that there will be no further need for a special form of protection. In the meantime, however, Government have to face facts as they are and must maintain this exceptional form of representation.

There are two features of decision to which I must allude. One has to do with Depressed Classes, and the other with the representation of women. Government would be quite unable to justify a scheme, which omitted to provide what is really requisite for either.

DEPRESSED CLASSES.

Our main object in case of Depressed Classes has been, while securing to them spokesmen of their own choice in the legislatures of the Provinces, where they are found in large numbers, at the same time to avoid electoral arrangements which would perpetuate their segregation. Consequentially Depressed Class voters will vote in general Hindu constituencies and an elected member in such a constituency will be influenced by his responsibility to this section of electorate, but for the next twenty years there will also be a number of special seats filled from special Depressed Class electorates in areas where these voters chiefly prevail. The anomaly of giving certain members of the depressed classes two votes is abundantly justified by the urgent need of securing that their claims should be effectively expressed and the prospects of improving their actual condition promoted.

WOMEN'S MOVEMENT

As regards women voters, it has been widely recognised in recent years that women's movement in India cannot reach the position to which it aspires in the world until its women play their due part as educated and influential citizens. There are undoubtedly serious objections to extending to representation of women communal method, but if seats are to be fairly distributed among the communities there is in the existing circumstances no alternative.

BALANCING CONFLICTING CLAIMS

With this explanation, I commend the scheme to Indian communities as a fair and honest attempt to hold the balance between conflicting claims in relation to the existing position in India. Let them take it, though it may not for the moment satisfy the full claims of any of them as a workable plan for dealing with the question of representation in the next period of India's constitutional development. Let them remember when examining the scheme that they themselves failed when pressed again and again to produce to us some plan which would give a general satisfaction.

DECISION ONLY TO REMOVE CONSTITUTIONAL OBSTACLES

In the end only Indians themselves can settle this question. The most that Government can hope for is that their decision will remove an obstacle from the path of constitutional advance, and will thus enable Indians to concentrate their attention upon solving many issues that still remain to be decided in the field of constitutional reform. Let leaders of all Indian communities show at this critical moment in India's constitutional development

their appreciation of the fact that communal co-operation is a condition of progress, and that it is their special duty to put upon themselves the responsibility of making the new constitution work."

TEXT OF THE AWARD

The Award was published simultaneously in England and India on August 17, 1932. The text of the Award follows:—

OCCASION OF THE AWARD

(1) In the statement made by the Prime Minister on the 1st December last, on behalf of His Majesty's Government at the close of the second session of the Round Table Conference, which was immediately afterwards endorsed by both the Houses of Parliament, it was made plain that if the communities in India were unable to reach a settlement acceptable to all parties on the communal questions which the Conference had failed to solve, His Majesty's Government were determined that India's constitutional advance should not, on that account, be frustrated, and they would remove this obstacle by devising and applying themselves a provisional scheme.

(2) On the 19th March last, His Majesty's Government having been informed that the continued failure of the communities to reach an agreement was blocking the progress of the plans for the framing of the new Constitution, stated that they were engaged upon a careful re-examination of the difficult and controversial questions which arose. They are now satisfied that without a decision on at least some aspects of the problems connected with the position of the minorities under the new Constitution, no further progress can be made with the framing of the Constitution.

CONDITIONS UNDERLYING SETTLEMENT

(3) His Majesty's Government have, accordingly, decided that they will include provisions to give effect to the scheme set out below in the proposals relating to the Indian Constitution to be laid in due course before Parliament. The scope of this scheme is purposely confined to the arrangements to be made for the representation of the British Indian communities in the provincial legislatures, consideration of representation in the legislature at the Centre being deferred for the reason given in paragraph 20 below. The decision to limit the scope of the scheme implies in no way failure to realise that the framing of the Constitution will necessitate decision on a number of other problems of great importance to the minorities, but has been taken in the hope that once a pronouncement has been made upon the basic questions of the method and proportions of representation, the communities themselves may find it possible to arrive at a *modus vivendi* on the other communal problems, which have not as yet received the examination they require.

ACCEPTANCE OF PRACTICAL ALTERNATIVE SCHEME

(4) His Majesty's Government wish it to be most clearly understood that they themselves can be no parties to any negotiations which may be initiated with a view to the revision of their decision, and will not be prepared to give consideration to any representation aimed at securing a modification of it, which is not supported by all the parties affected. But they are most desirous to close no door to an agreed settlement should such happily be forthcoming. If, therefore, before the new Government of India Act has passed into law, they are satisfied that the communities who are concerned are mutually agreed upon a practicable alternative scheme either in respect of any or more of the Governor's provinces, or in respect of the whole of British India, they will be prepared to recommend to Parliament that the alternative should be substituted for the provisions now outlined.

GENERAL FEATURES OF PROPOSED ELECTIONS

(5) Seats in the Legislative Councils in the Governor's Provinces or in the Lower House if there is an upper chamber, will be allocated as shown in paragraph 24 below:

(6) Election to the seats allotted to Mahomedan, European and Sikh constituencies will be by voters voting in separate communal electorates covering between them the whole area of the province (apart from any portions which may in special cases be excluded from the electoral area as "backward").

Provision will be made in the constitution itself to empower revision of this electoral arrangement (and other similar arrangements mentioned below) after ten years with the assent of the communities affected, for ascertainment of which suitable means will be devised.

(7) All qualified electors who are not voters either in a Mahomedan, Sikh, Indian Christian (see para 10), Anglo Indian (see para 11) or European constituency, will be entitled to vote in a general constituency.

(8) Seven seats will be reserved for Mahrattas in certain selected plural-member general constituencies in Bombay.

DEPRESSED CLASSES

(9) Members of the "depressed classes" qualified to vote will vote in a general constituency. In view of the fact that, for a considerable period, these classes would be unlikely, by this means alone, to secure any adequate representation in the Legislature, a number of special seats will be assigned to them as shown in para 24 below. These seats will be filled by election from the special constituencies in which only the members of the depressed classes, electorally qualified, will be entitled to vote. Any person voting in such a special constituency will, as stated above, be also entitled to vote in a general constituency. It is intended that these constituencies should be formed in selected areas where the "depressed classes" are most numerous and that except in Madras they should not cover the whole area of the province.

In Bengal, it seems possible that in some general constituencies, the majority of the voters will belong to the Depressed Classes. Accordingly, pending further investigation, no number has been fixed for members to be returned from the Special Depressed Class constituencies in that Province. It is intended to secure that the Depressed Classes should obtain not less than ten seats in the Bengal Legislature.

The precise definition, in each province of those who (if electorally qualified) will be entitled to vote in the special Depressed Class constituencies has not yet been finally determined. It will be based, as a rule on the general principles advocated in the Franchise Committee's report. Modification may, however, be found necessary in some provinces in Northern India, where the application of the general criteria of untouchability might result in a definition unsuitable, in some respects, to the special conditions of the province.

His Majesty's Government do not consider that these special Depressed Classes constituencies will be required for more than a limited time. They intend that the Constitution shall provide that they shall come to an end after twenty years if they have not previously been abolished under the general powers of electoral revision referred to in para 6.

INDIAN CHRISTIANS AND ANGLO-INDIANS

(10) Election to the seats allotted to Indian Christians will be by voters voting in separate communal electorates. It seems almost certain that the

formation of Indian Christian constituencies covering the whole area of a province is impracticable and that accordingly, special Indian Christian constituencies will have to be formed only in one or two selected areas in a province. Indian Christian voters in these areas will not vote in a general constituency. Indian Christian voters outside these areas will vote in a general constituency. Special arrangements may be needed in Bihar and Orissa where a considerable proportion of the Indian Christian community belong to aboriginal tribes.

(11) Election to the seats allotted to Anglo-Indians will be by voters voting in separate communal electorates. It is at present intended, subject to the investigation of any practical difficulties that may arise, that the Anglo-Indian constituencies shall cover the whole area of each province, postal ballot being employed; but no final decision has yet been reached.

(12) The method of filling the seats assigned for representatives from the Backward Areas is still under investigation, and the number of seats so assigned should be regarded as provisional, pending final decision as to the constitutional arrangements to be made in relation to such areas.

VOTES FOR WOMEN

(13) His Majesty's Government attach great importance to securing that the new legislatures should contain at least a small number of women members. They feel, at the outset, this object could not be achieved without creating a certain number of seats specially allotted to women. They also feel it is essential that women members should not be drawn disproportionately from one community. They have been unable to find any system which would avoid this risk and would be consistent with the rest of the schemes for representation which they have found it necessary to adopt, except that of limiting the electorate for each special woman's seat to voters from one community, subject to the exception explained in para 24 below. Special women's seats have accordingly been specifically divided as explained in para 24 below between the various communities. The precise electoral machinery to be employed in these special constituencies is still under consideration.

REPRESENTATION OF SPECIAL INTERESTS

(14) Seats allotted to " Labour " will be filled from non-communal constituencies. Electoral arrangements have still to be determined, but it is likely that in most provinces Labour constituencies will be partly trade union and partly special constituencies as recommended by the Franchise Committee.

(15) Special seats allotted to Commerce and Industry, Mining and Planting will be filled by election through Chambers of Commerce and various associations. Details of the electoral arrangements for these seats must await further investigation.

(16) Special seats allotted to Landholders will be filled by election by special Landholders' constituencies

(17) The method to be employed for election to University seats is still under consideration.

(18) His Majesty's Government have found it impossible in determining these questions of representation in the provincial legislatures, to avoid entering into a considerable detail. Their remains, nevertheless, the determination of the constituencies. They intend that this task should be undertaken in India as early as possible.

It is possible in some instances that delimitation of constituencies might be materially improved by a slight variation from the number of seats now given. His Majesty's Government reserve the right to make such slight

variations for such a purpose, provided they would not materially affect the essential balance between the communities. No such variations will, however, be made in the case of Bengal and the Punjab.

COMPOSITION OF SECOND CHAMBERS

(19) The question of the composition of Second Chambers in the provinces has so far received comparatively little attention in the constitutional discussions, and requires further consideration before a decision is reached as to which provinces shall have a Second Chamber or a scheme is drawn up for their composition.

His Majesty's Government consider that the composition of the Upper House in a province should be such as not to disturb, in any essential, the balance between the communities resulting from the composition of the Lower House.

LEGISLATURE AT THE CENTRE

(20) His Majesty's Government do not propose, at present, to enter into the question of the size and composition of the Legislature at the Centre, since this involves, among other questions, that of representation of the Indian States which still needs further discussion. They will of course, when considering the composition, pay full regard to the claims of all the communities for adequate representation therein.

NEW PROVINCES

(21) His Majesty's Government have already accepted that Sind should be constituted a separated province if satisfactory means of financing it can be found. As the financial problems involved still have to be reviewed in connection with other problems of Federal Finance, His Majesty's Government have thought it preferable to include at this stage figures for a Legislature for the existing province of Bombay, in addition to the schemes for separate Legislatures for the Bombay Presidency proper and Sind.

(22) The figures given for Bihar and Orissa relate to the existing province. The question of constituting a separate province of Orissa is still under investigation.

(23) The inclusion in para 24 below of figures relating to the Legislature for the Central Provinces including Berar does not imply that any decision has yet been reached regarding the future constitutional position of Berar.

ALLOCATION OF SEATS IN PROVINCIAL LEGISLATURES

(24) The following will be the allocation of seats in Provincial Legislatures (Lower House only) :—

Madras: General Seats 134 (including six women); Depressed Classes 18; Representative from backward areas 1; Mahomedans 29 (including one woman); Indian Christians 9 (including one woman); Anglo-Indians 2; Europeans 3; Commerce and Industry, Mining and Planting 6; Landholders 6; University 1; Labour 6. Total 215.

Bombay (including Sind): General Seats 97 (including five women); Backward areas 1; Mahomedans 63 (including 1 woman); Indian Christians 3; Anglo-Indians 2; Europeans 4; Commerce, etc., 8; Landholders 3; University 1; Labour 8; Depressed Classes 10; Total 200.

Bengal: General Seats 80 (including 2 women); Depressed Classes blank; Mahomedans 119 (including 2 women); Indians Christians 2; Anglo-Indians 4 (including 1 woman); Europeans 11; Commerce, etc., 19; Landholders 5; University 2; Labour 8; Total 250.

United Provinces: General seats 132 (including 4 women); Depressed Classes 12; Mahomedans 66 (including 2 women); Indian Christians 2;

Anglo-Indians 1; Europeans 2; Commerce, etc., 3; Landholders 6; University 1; Labour 3. Total 228.

Punjab: General seats 43 (including one woman); Sikhs 32 (including one woman); Mahomedans 86 (including two women); Indian Christians 2; Anglo-Indians 1; Landholders 5; University 1; Labour 3. Total 175.

Bihar and Orissa: General seats 99 (including three women); Depressed Classes 7; Representatives from backward areas 8; Mahomedans 42 (including 1 woman); Indian Christians 2; Anglo-Indians 1; Europeans 2; Commerce, etc., 4; Landholders 6; University 1; Labour 4. Total 175.

Central Provinces (including Berar); General seats 77 (including three women); Depressed Classes 10; Representatives from backward areas 1; Mahomedan 14; Anglo-Indians 1; Europeans 1; Commerce, etc., 2; Landholders 3; University 1; Labour 2. Total 112.

Assam: General seats 44 (including one woman); Depressed Classes 4; Represenatives from backward areas 9; Mahomedans 34; Indian Christians 1; Europeans 1; Commerce, etc., 11; Labour 4. Total 108.

North-West Frontier Province: General seats 9; Sikhs 3; Mahomedans 36; Landholders 2. Total 50.

Seats are also allocated for Bombay without Sind and for Sind as follows:—

Bombay without Sind: General seats 109 (including five women); Depressed classes 10; Representative from backward areas 1; Mahomedans 30 (including one woman); Indian Christians 3; Anglo-Indians 2; Europeans 3; Commerce, etc., 7; Landholders 2; University 1; Labour 7. Total 175.

Sind: General seats 19 (including 1 woman); Mahomedans 34 (including 1 woman); Europeans 2; Commerce, etc., 2; Landholders 2; Labour 1. Total 60.

As regards seats for commerce and industry, mining and planting, it is stated that "composition of bodies through which election of these seats will be conducted though in most cases either predominantly European or predominently Indian will not be statutorily fixed. It is accordingly not possible in each province to state with certainty how many Europeans and Indians respectively will be returned. It is, however, expected that initially the numbers will be approximately as follows:—

Madras: 4 Europeans and 2 Indians: Bombay (including Sind), 5 Europeans and three Indians; Bengal, 14 Europeans and five Indians; United Provinces, 2 Europeans and one Indian; Punjab, one Indian; Bihar and Orissa, 2 Europeans and two Indians; Central Provinces (including Berar), one European and one Indian; Assam, 8 Europeans and three Indians; Bombay (without Sind), 4 Europeans and three Indians; Sind, one European and one Indian.

As regards general seats allocated to Bombay whether inclusive or exclusive of Sind it is stated seven of them will be reserved for Maharattas.

As regards allocation of seats for Depressed Classes in Bengal this number which will not exceed ten has not yet been fixed. The number of general seats will be 80, less the number of special depressed classes seats.

As regards Landholders' seats in the Punjab, it is stated one of these will be a Zamindars seat. Four landholders seats will be filled from special constituencies with Joint Electorates. It is probable from distribution of the electorate that members returned will be one Hindu, one Sikh and two Mahomedans.

As regards allocation of one woman's seat among general seats in Assam, it is stated this will be filled from a non-communal constituency at Shillong.

PREVIOUS DOCUMENTS ON COMMUNAL QUESTIONS

In this connection a brief allusion to the various attempts made from time to time to settle the communal question may not be out of place.

LUCKNOW PACT

Rivalry between Hindu-Moslem aspirations had emerged so early as 1906 on the eve of the Morley-Minto reforms, and the Lucknow Pact of 1916 embodied a settlement agreed to by both the Hindu and Muslim communities. The Government of India accepted it and made it the basis for the representation of the communities in the legislatures. In the present constitution of India, the share of the representation of the Mahomedans and minorities in the legislatures is governed by the Pact. The essential points of the Pact are:—

The members of Councils should be electcd directly by the people on as broad a franchise as possible.

Adequate provision should be made for the representation of important minorities by election, and the Mahomedans should be represented through special electorates on the Provincial Legislative Councils in the following proportions:—

Punjab—One-half of the Elected Indian Members.

U. P.	30 p.c.	,,	,,
Bengal	40 p.c.	,,	,,
Bihar	25 p.c.	,,	,,
C. P.	15 p.c.	,,	,,
Madras	15 p.c.	,,	,,

Bombay—One-third of the Elected Indian Members.

Provided that no Mahomedan shall participate in any of the other elections to the Imperial or Provincial Legislative Councils save and except those by electorates representing special interests.

JINNAH'S FOURTEEN POINTS

The Lucknow Pact worked smoothly for some time but when the time came for a revision of India Government Act of 1919 and an Indian Statutory Commission was appointed under the chairmanship of Sir John Simon to draft a new constitution of India, the Mahomedans asked for greater share in the administration of the country than contemplated in the Lucknow Pact. The demands of the Mahomedans, consolidated by Mr. M. A. Jinnah and popularly known as Jinnah's Fourteen Points, are:—

(1) The form of the future constitution, should be federal with residuary powers vested in the provinces.

(2) A uniform measure of autonomy shall be granted to all provinces.

(3) All Legislatures shall contain adequate representation of minorities without reducing the majority of any province to a minority or even equality.

(4) In the Central Legislature Moslem representation shall not be less than one-third.

(5) Representation of communal groups shall continue to be by means of separate electorates.

(6) Any territorial redistribution shall not affect the Moslem majority in the Punjab, Bengal and the N. W. F. P.

(7) Full religious liberty shall be guaranteed to all communities.

(8) No Bill or resolution shall be passed if three-fourths of the members of any community in the particuar body oppose such a Bill as injurious to that community.

(9) Sind should be separated from the Bombay Presidency.

(10) Reforms should be introduced in the N. W. F. Provinces and Baluchistan as in other provinces.

(11) Provision should be made in the Constitution giving the Moslem an adequate share in all the Services and in self-governing bodies.

(12) The Constitution should embody adequate safeguards for the protection and promotion of Moslem culture, education, language, religion, etc.

(13) No Cabinet, either Central or Provincial, should be formed without a proportion of Moslem Ministers of at least one-third.

(14) No change to be made in the constitution by the Central Legislature except with the concurrence of the States constituting the Indian Federation.

SIMON COMMISSION RECOMMENDATIONS

After a careful consideration of all aspects of the communal question, the Simon Commission made the following recommendations:—

Moslems—(a) Communal electorates in absence of a new agreement. (b) No definite Moslem majority in the Punjab and Bengal with weightage in other provinces, if there is separate electorate. Or Joint electorate by mutual consent in Bengal and Punjab with existing weightage elsewhere.

Sikhs—Special electorates with weightage in their favour—in the Punjab.

Non-Brahmins—No reserve seats in the Punjab.

Mahrattas—No abolition of reserved seats.

Depressed Classes—(a) No separate electorate, as it would be "stereotyping the differences between them and the remainder of the Hindus. (b) Reservation of seats—a little less than the population basis.

Anglo-Indians—Separate electorates.

Europeans—Separate electorates.

Indian Christians—Reservation of seats rather than separate electorates.

GOVT. OF INDIA DESPATCH ON SIMON REPORT

The despatch of the Government of India on the Report of the Simon Commission contained the following recommendations:—

1. Anglo-Indians—Wherever possible by separate electorates.
2. Indian Christians—(a) Separate electorate in Madras. (b) Nomination by Governor or reservation in other provinces.
3. Sikhs—Separate electorate with percentage higher than the population basis but less than the voting strength.
4. Moslems—(a) Weightage to Moslem minorities in other provinces. (b) Seats on population basis in Bengal and the Punjab is supported with a qualification. (c) Communal Electorates.
5. Depressed Classes—(a) Simon scheme unsatisfactory. (b) No definite opinion expressed except that their adequate representation ought to be secured by best means practicable.
6. Mahrattas—No abolition of reserved seats.
7. Non-Brahmin—No reservation of seats.

TERMS OF PROVISIONAL AGREEMENT AT R. T. C.

The following were the terms of the provisional agreement between Mahatma Gandhi and the Muslim delegation at the Round Table Conference in return for the support for Mahatma Gandhi's political demands:—

(1) In the Punjab and Bengal a bare majority of 1 per cent., i.e., 51 per cent. of the whole House. (2) In other provinces where the Muslims are in a minority the present weightage enjoyed by them to continue. (3) The Muslim representation in the Central Legislature in both houses should be 26 per cent. of the total number of British Indian representatives and 7 per cent. at least by convention should be Muslims out of the total that may be

assigned to the Indian states, i.e., one-third of the whole House when taken as a whole.

(4) That residuary power should vest in the federating provinces of British India. (5) Sind to be separated. (6) The North-West Frontier Province to be on the same footing as the other provinces. (7) In the formation of the cabinet in the Central Government and the Provincial Governments so far as possible members belonging to the Muslim community should be included. This should be put into operation by means of a convention.

(8) No person should be under any disability for admission into any branch of the public services of the country merely by reason of his religion or caste. (9) In every provincial Government in connection with the Central Government a public services commission shall be appointed and recruitment for the public services shall be made through such commissions in such a way as to secure a fair representation to the Muslim community consistent with considerations of efficiency and possession of the necessary qualifications. This must be in the Instrument of Instructions.

(10) Safeguards for religion and culture to be in the constitution. Full religious liberty, i.e., full liberty of belief, worship, observations, propaganda, association and education shall be guaranteed to the Mussalman community subject to the maintenance of public order or morality. Adequate safeguards shall also be provided for the protection of religion, culture and personal laws of the Mussalman community and for a proper provision for the education of any minority or backward sections in the community and for grants-in-aid if any to be made by the State.

(11) If a bill is passed which in the opinion of two-thirds of the members of any legislature representing a particular denomination affects their religious or social practices based on religion, it shall be open to such members to lodge their objection thereto within a period of one month of the bill being passed by the House with the President of the said House who shall forward the same to the Governor-General or Governor as the case may be and he shall thereupon suspend the operation of that bill for one year upon the expiry of which period he will remit the said bill for further consideration by the legislature. When such a bill has been further considered by the legislature and the legislature has refused to revise or modify the bill so as to meet the objection thereto the Governor-General or the Governor, as the case may be, may give or withhold his assent to it in exercise of his discretion, provided further that the validity of such a bill may be challenged in the Supreme Court by any two members of the denomination affected thereby on the ground that it contravenes any one of the fundamental rights.

MAHATMA GANDHI'S PROPOSALS

(1) Mahatma Gandhi proposed no special reservation to any other community save the Sikhs, the Hindus and the Muslims. (2) That franchise should be adult franchise. (3) The Congress demands, i.e., complete independence, complete control over defence immediately, complete control over external affairs, complete control over finance, investigation of public debts and obligations by an independent tribunal. In the case of partnership the right of either party to terminate it. If a settlement is arrived at all parties must agree to stand together to secure for India equal status and full responsible government with necessary safeguards at the centre.

This agreement will be operative only in the event of such a responsible government being established at the centre and India's equal status being declared as a result of this conference.

ALLOCATION OF SEATS IN MINORITIES PACT

The following is a summary of the allocation of seats reserved for the principal communities of India as contemplated in the Minorities Pact made during the second session of the Round Table Conference:—

ASSAM—

Strength of the House—100.

Caste Hindus	38 seats	i.e. 48·9 p.c.
Depressed Classes	13 seats	i.e. 13·4 p.c.
Muslims	35 seats	i.e. 34·8 p.c.

BENGAL—

Strength of the House—200.

Caste Hindus	38 seats	i.e. 18·3 p.c.
Depressed Classes	35 seats	i.e. 24·7 p.c.
Muslims	102 seats	i.e. 54·9 p.c.
Europeans	20 seats	

PUNJAB—

Strength of the House—100 seats.

Caste Hindus	14 seats	i.e. 15·1 p.c.
Depressed Classes	10 seats	i.e. 13·5 p.c.
Muslims	51 seats	i.e. 56·5 p.c.
Sikhs	20 seats	i.e. 13 p.c.

BOMBAY—

Strength of the House—200 seats.

Caste Hindus	88 seats	i.e. 68 p.c.
Depressed Classes	28 seats	i.e. 8 p.c.
Muslims	66 seats	i.e. 20 p.c.

MADRAS—

Strength of the House—200.

Caste Hindus	102 seats	i.e. 71·3 p.c.
Depressed Classes	40 seats	i.e. 15·4 p.c.
Muslims	30 seats	i.e. 7·1 p.c.

U. P.—

Strength of the House—100 seats.

Caste Hindus	44 seats	i.e. 58·1 p.c.
Depressed Classes	20 seats	i.e. 26·4 p.c.
Muslims	30 seats	i.e. 14·8 p.c.

C. P.—

Strength of the House—100 seats.

Caste Hindus	58 seats	i.e. 63·1 p.c.
Depressed Classes	20 seats	i.e. 23·7 p.c.
Muslims	15 seats	i.e. 44· p.c.

BIHAR AND ORISSA—

Strength of the House—100 seats.

Caste Hindus	51 seats	i.e. 67·8 p.c.
Depressed Classes	14 seats	i.e. 14·5 p.c.
Muslims	25 seats	i.e. 11·3 p.c.

OPINIONS ON THE AWARD

The Award was received with mingled feelings in India. While the Hindus and Sikhs in a body condemned the Award as extremely unjust and antagonistic to the best interests of the country, the Mahomedans though not fully satisfied with it accepted it as a workable scheme. The opinions of the important associations and personages follow:—

HINDU MAHA SABHA

The Working Committee of the Hindu Maha Sabha strongly condemned the Communal Award on the following grounds:—

"(1) It manifestly favours one party at the expense of the other; (2) the Award is an ingenious device to prevent India from ever rising to the status of a self-governing nation; (3) it creates fresh separate electoral constituencies for the Depressed Classes, women, Christians and Anglo-Indians; (4) it introduces an unalterable communal ascendency in the Punjab and Bengal by granting reserved seats through separate electorates to the majority community of Moslems; it has increased the already liberal weightage given to Moslems in Bihar, Madras, Bombay, the Central Provinces and Assam at the expense of the Depressed Classes, who should have got weightage according to the Raja-Moonjee Pact; (5) it has, instead of protecting the rights of all minorities alike, robbed the Hindu minority in the Punjab of its representation in proportion to its population, whilst allowing Moslems weightage in all the provinces in which they are in a minority; and (6) it has been unjust to the Sikhs of the Punjab who, in view of their importance in the population, must have been given, if not more, at least the

same weightage which the Moslems have been given in the provinces where they are in a minority."

The Working Committee strongly protested against the reference in the Award to the separation of Sind on the following grounds:—

(1) "The Sub-Committee of the Round Table Conference which recommended separation did not contain a single Sind Hindu representative; (2) the recommendation of the Sub-Committee was strictly conditional on Sind being able to be financially independent. It is expressly laid down that if Sind cannot be financially independent, there should be no separation; (3) the policy of the grant of a subvention by the Central Government to provinces, which are not self-supporting, is highly unjust to the general tax-payer."

The Working Committee also appealed to all Hindus to resist the imposition of this disgraceful and inequitable Award, by every means in their power, and to this end called upon Hindus to go through an ordeal of sacrifice for their just rights and principles.

PUNJAB HINDU CONFERENCE

The representative Hindus of the Punjab, in a conference, passed resolutions characterising the Award as extremely unjust and unfair to the Hindus. In the considered opinion of the conference the Award was destructive of all principles of nationalism, was antagonistic to the best interests of India, being based on religion as a factor in politics, and was a great menace to the peace of India, and moreover as in particular with reference to the Punjab, it was bound to lead to Moslem aggrandisement and communal bitterness and reduce the Hindu and the Sikh communities to a permanent position of statutory inferiority. In declaring the same wholly unacceptable the Conference called upon Hindus to make every effort to have it abrogated and make common cause, if and when possible, with the nationalist elements of other communities to have it replaced by a Constitution based on joint electorates, with necessary safeguards for the rights of the minorities

BENGAL PROVINCIAL HINDU SABHA

The Bengal Provincial Hindu Sabha, after a scrutiny of the provisions of the Award was of the opinion that Hindus in Bengal could not co-operate and work the constitution on the basis of the award published on the following amongst other reasons:—

(a) By it Hindu interests have been irreparably injured. To make room for excessive representation of other communities the Hindus have been made to lose seats even in Provinces where they are numerically in a minority, but when their education, wealth, contributions to the State, public work and sacrifice give them an outstanding position and entitle them to weightage on the principles on which weightage is given to other communities.

(b) It seems to be based on no principles or rather to be based on principle that in Hindusthan everybody and every community is entitled to favoured treatment except the Hindus themselves. How unfair the award is will be apparent from the fact that in Bengal all minorities are given seats beyond their legitimate proportion according to the numbers e.g., Europeans who are a fraction of one per cent. have been given 10 per cent. of the seats. The Mahomedans who are 54.5 per cent. of the population in Bengal are given 48 per cent. of the seats but the Hindus who are 43 per cent. are given only 32 per cent. instead of 38·5 per cent. which would be their share if the same ratio of reduction is maintained. The Hindus are in a minority in Bengal and according to all canons of fair play if minorities in other provinces are given weightages the Hindus certainly deserve weightage in Bengal. But it seems that the principle upon which the award has been based

is that in the case of Hindus where they are in a minority their minority should be emphasised by far the reduction from the percentage they are entitled to.

(c) Though there are no Depressed classes in Bengal in the sense the word is used elsewhere, 10 seats have been reserved for them and out of the general constituencies some will be made into depressed class constituencies. It appears that the British Cabinet is bent on creating and perpetuating as many subdivisions amongst Indians as possible.

Religious and caste differences have their recognition in the award; it also recognises the difference between European and Asiatic; the difference between landlord and tenant; the difference between capital and labour and also the difference between the sexes.

One wonders why the award stops short where it does and does not go on for the subdividing the Indians according to Trades, professions, etc.

(d) Separate electorates and reservation of seats specially for majority communities have been condemned even by the author of the Award at the first Round Table Conference as the very negation of Nationalism and inconsistent with all known canons of democracy. Yet these very things have been sought to be perpetuated in India. It seems as if the British Cabinet has made up its mind that India should never be allowed to become a nation and that democratic principles should not be introduced here.

(e) This Award has made Hindu Moslem reapproachment impossible, Joint Electorates might gradually have smoothed over the differences between communities. The past working of separate electorates have shewn that they have been responsible for the present attitude of the communities leading to frequent riots, yet the old system has been continued in a more aggravated form.

(f) It is all the more remarkable that although the Hindus and Mahomedans by their representatives in the Bengal Legislative Council voted for Joint Electorates, both for election to the Legislative Council and for election to the Local Bodies and the British Cabinet were apprised of the fact, they as self-appointed Trustees for India decided that Joint Electorate was not good for the Indians.

2. The Sabha further calls upon all Hindus to organise themselves and take steps to have the award set aside, just as the settled fact of Partition of Bengal was unsettled.

BIHAR HINDU SABHA

The Working Committee of the Bihar Provincial Hindu Sabha reaffirmed the resolutions passed by the Working Committee of the All-India Hindu Mahasabha at Delhi and strongly protested against the iniquitable allotment of seats and weightage to the Mahomedans much in excess of their population, particularly when seven seats have been reserved to the so-called depressed classes whose population is much higher, while 44 seats have been given to the Mahomedans.

ALL-INDIA MOSLEM LEAGUE COUNCIL

The Council of the All-India Moslem League met at Simla on September 4, 1932 to discuss the Communal Award.

The following resolutions were passed:—

(1) Notwithstanding the fact that the decision of His Majesty's Government on the Communal problem falls short of the minimum Muslim demands as enunciated in the various resolutions of the All-India Muslim League, the Council is clearly of opinion that the decision does represent a method which removes the obstacle from the path of Constitutional advance, thereby enabling the people of India to concentrate their attention upon solving the many issues that still remain to be decided in the field of Con-

stitutional reforms. The Council however desires to make it perfectly clear that it is not in a position to say, at this stage, whether the picture of the new Constitution, when complete, will be acceptable to the Muslim community or not.

(2) The Council calls upon the Muslim members of the Round Table Conference to continue to work with the representatives of other communities for the immediate attainment of Self-Government in India, subject to the minimum demands of the Muslim community.

3. (a) The Council enters its emphatic protest against denying to the Moslems of Bengal and the Punjab a statutory majority to which they are rightfully entitled.

(b) That notwithstanding the injustice done to the Mussalmans, the Council notices with regret that the Sikh-Hindu agitation in the Punjab has been directed towards reducing the already attenuated Moslem percentage in the Council, which will only result in accentuating communal bitterness and widening the gulf between the communities.

(4) That the Council while disagreeing with the principle of special qualification for franchise and reservation of seats for women apart from the men of their community, appreciates the efforts of His Majesty's Government to distribute the seats reserved for them amongst women of different communities through their own communal electorates.

(5) The Council is strongly of the opinion that Sind should immediately be separated from the Bombay Presidency and that its separation should be embodied in the revised Government of India Act.

(6) The Council urges upon the Government the necessity of expediting the work of introducing full Responsibility in the Centre with the necessary safeguards. The Council is further of the opinion that a Federation of British India should not be postponed or made dependent upon an agreement amongst the Princes to join an All-India Federation.

(7) Having carefully considered the announcement of the Secretary of State for India about the procedure to be adopted with regard to constitutional reforms, the Council urges the desirability of continuing the method of the Round Table Conference in order to achieve the greatest measure of common agreement between Indian and British delegates.

(8) The Council reiterates the demand repeatedly expressed by the Moslem League that in the Federal Assembly and in the Upper Chamber, in whichever manner they may be constituted, at least one-third seats of the whole House should be guaranteed for Moslems by statute.

(9) The Council wishes to make it clear that in the future Constitution of India residuary power must vest in the component units of the Federation.

(10) This meeting of the Council is of opinion that Communal Award, in so far as it concerns representation of the Moslem community in the Legislative Council of Assam, is disappointing, in that, instead of obtaining any weightage, the Mussalmans of Assam have the misfortune of getting a lesser number of seats than the number they are entitled to by their numerical strength.

ALL-INDIA MOSLEM CONFERENCE

The following were the resolutions adopted by the Executive Board of the Working Committee of the All-India Moslem Conference held on August 21, 1932:—

(1) "In the opinion of the Board, the decision of His Majesty's Government about the measure of Moslem representation in the Provincial Legislatures is disappointing, as it falls very much short of the Moslem demands embodied in their resolution of the All-India Moslem Conference, and as it

(a) denies the right of a statutory majority by separate electorates to the Mussalmans in the Punjab and Bengal, (b) reduces the weightage now enjoyed by the Mussalmans in the United Provinces, Bihar and Orissa and Madras Legislative Councils, (c) gives weightage to non-Moslem minorities in the North-West Frontier Province equivalent to three times their population, which is much in excess of the weightage given to Moslems in their minority provinces, (d) omits British Baluchistan from the general scheme of reforms, (e) leaves the question of separation of Sind as provisional as before.

(2) The Board, while appreciating the efforts of His Majesty's Government to meet the demands of all concerned and recognising that their decision does meet a portion of the Moslem demands, is strongly of the opinion that no constitution would be acceptable to the Moslem India, unless it embodies in it all the other Moslem demands set forth in their resolution of January 1929 and further explained and confirmed in their resolution of April, 1931.

(3) The Board most emphatically adds that the Moslems of India will not accept any constitution unless it creates completely autonomous Federal States of equal status, and accepts the principle that the transfer of power shall be from the Parliament to the Provinces and not from the Parliament to the Central Government.

(4) The Board further requests His Majesty's Government to make an immediate announcement that the future Constitution will be based on the principles stated in the preceding paragraphs.

(5) The Executive Board is emphatically of the opinion that a great injustice has been done to the Moslems of Bengal, as His Majesty's Government have, in their decision, departed from the well recognised principle that no majority shall be reduced to a minority or an equality.

(6) Separation of Sind being one of the most vital demands of the Moslem India, this meeting of the Board demands that Sind be separated from the Bombay Presidency without any further delay.

(7) In view of the change in the political atmosphere caused by the announcement of the decision made by His Majesty's Government, the Board urges upon the Mussalmans of India to continue to cultivate friendly relations with the sister communities, and remain prepared for all eventualities in order to protect their rights and secure, by all constitutional means, the remaining demands which they consider more vital than the mere allotment of seats.

BENGAL PRESIDENCY MOSLEM LEAGUE

In an emergent meeting held on August 20, 1932, the Council of the Bengal Presidency Muslim League most emphatically protested against the communal award of the Prime Minister, in as much as, (a) it did not recognise and give effect to the principle of joint electorate, without any reservation of seats in Bengal, as demanded by the Bengal Presidency Muslim League in its last annual session; (b) it reduced arbitrarily and unfairly the representation of the majority community in the Bengal Council to a permanent statutory minority; (c) it gave unfair weightage to Europeans and Anglo-Indians, out of all reasonable proportion; (d) it retained and created constituencies for special interests, such as landlords, commerce. etc. which are inimical to the growth of democracy in the country; (e) it deliberately held in abeyance the questions of representation in the Central Legislature, of separation of Sind, and of unicameral legislatures in the provinces, all of which would make it impossible to properly assess the award; (f) it was silent over the question of personal laws and fundamental rights.

BENGAL NATIONALIST MOSLEM PARTY

The Executive Committee of the Bengal Nationalist Moslem Party, in a meeting held on August 27, recorded its emphatic protest against the Award on the following grounds:—

(a). It recognises the principle of separate electorates which is fundamentally opposed to responsible Government. (b) It has placed the Mussalmans of Bengal in a position of permanent statutory minority. (c) It has retained special constituencies for Landlords and Commerce and has extended its scope to other special interests. (d) It cleverly retains separate electorates for the Mussalmans so that the Europeans and Anglo-Indians may be given separate electorates and representation and that far in excess of their due share in order that they may virtually dominate the Bengal Council. (e) It has been so devised as to prove a veritable apple of discord between the different communities in order to side-track the real issue of responsible self-government. (f) It has totally ignored agricultural labour which forms a substantial portion of the whole population of the province. (g) It has practically closed the door of settlement between the different communities in so far as it has laid down as condition precedent that no settlement will be accepted unless it is made with the consent of all the communities concerned. (h) It has kept in abeyance matters of fundamental constitutional importance like that of (1) representation of the different communities in the Central Legislature. (2) Of the unicameral Government in the provinces. (3) The concession of full constitutional status to Baluchistan like that of other provinces and (4) The question of separation of Sindh which might have been simultaneously announced in the award.

U. P. LIBERAL ASSOCIATION

The U. P. Liberal Association, in a meeting held on August 25 under the chairmanship of Mr. C. Y. Chintamani, passed resolutions expressing strong disapproval of the Award on the following grounds:—

"The Award retains and extends the evil of separate communal and class electorates, provides separate representation of numerous sectional interests calculated to impede the growth of a common national feeling and accentuate communal bitterness, as it is unfair to the Hindu minorities of the Punjab and Bengal who have been allotted seats which are substantially less than what their proportion to the population entitles them, and gives Europeans, particularly in Bengal and Assam, excessive representation at the expense of both Hindus and Muslims."

Among other resolutions adopted in the meeting were:—

"The Association reiterates its conviction that no system of Responsible Government which is not based on joint electorates can promote a spirit of co-operation among the various communities and thereby ensure its successful working and the development of public life on healthy non-communal and non-sectional national lines.

The Association cannot approve of the arrangements for the representation of the so-called Depressed Classes, which amount to the creation of separate electorates for a section of the Hindu community. The Association regards the criteria of " untouchability " laid down by the Finance Committee as unjust to the United Provinces and would strongly protest against their farther extension, if such a step is contemplated, and it does not approve of the allocation of an excessive number of seats to them on this footing.

The Association takes particular exception, to the dragging of women into communal electorates in the face of their strong and almost unanimous opposition to such a course.

The Association is surprised at the inclusion in the so-called Communal Award of decisions on the represenation of interests as distinguished from communities, the more so it had been authoritatively stated that the recommendations of the Franchise Committee would be reviewed by the Consultative Committee and the Round Table Conference before decisions were taken thereon.

The Association views with dismay the prospect of the establishment of Second Chambers in at least some provinces as indicated in the Communal Award, as in their judgment such chambers are not only utterly unnecessary, but will substantially detract from the value of the Provincial Autonomy promised."

WESTERN INDIA NATIONAL LIBERAL ASSOCIATION

The Council of the Western India National Liberal Association earnestly appealed on August 17 to the various communities that they should not allow their views about the Award to hamper or obstruct further consideration of the various important constitutional problems that yet remained to be solved in order to secure a genuine Self-Government for India.

INDIAN ASSOCIATION

In a statement issued to the press on August 27, the Indian Association pointed out that instead of adjusting and attempting to obliterating differences, which, by admission of all, were undesirable, the Award accentuated differences. The Association desire to point out that such differences could only weaken the State. The Award did not contain those progressive principles, which alone could stabilise constitution. It left no way open for the working out of those principles of even-handed justice and fair play for all, which alone could be the basis of mutual trust and goodwill amongst all classes and communities. In the opinion of the Association the award placed on a hard and inelastic footing the principle of separate communal electorates and separate representation through such electorates. It was a lamentable feature of the Award that the members who would be in the legislature to represent interests of one community only would by statutory reservation practically predominate over other communities. The Association also regretted that the rule which the Award had applied in fixing the proportion of seats for different races and communities was not the same in all cases.

MADRAS LIBERAL LEAGUE

The Madras Liberal League, in a meeting held on August 28 under the chairmanship of Sir P. S. Sivaswami Aiyar, was constrained to express its emphatic disapproval of the following among other objectionable feature of the Communal Award:—

(1) The one-sided manner in which the Lucknow Pact has been set aside and departed from to the serious prejudice of the Hindu community, treating the problem as affecting two provinces only, instead of all provinces; (2) the want of any uniformity or consistency in the granting of weightage to minorities; (3) the excessive representation accorded to the European community in Bengal; (5) the practical guarantees of a statutory majority to the majority community in the Punjab; (6) the provision of separate communal electorates for Hindu and Mahomedan women in opposition to their unanimously expressed views; (7) the failure to provide any inducement to the communities which have been unduly favoured to give up the principle of separate electorates and draw more closely towards the other communities.

BRITISH INDIAN ASSOCIATION

The British Indian Association expressed its deep sense of disappointment at the unjust and inequitable Communal Award of the Premier and Hindu Community of Bengal and against the gross injustice done to the

Hindu Community of Bengal and against the gross injustice done to the landholders of this province by denying them their legitimate number of seats in the provincial legislature. The Association was of opinion that the award was wholly unacceptable and instead of solving the communal problem was sure to widen the gulf between the different communities.

SIKH LEADERS' MANIFESTO

Sikh leaders including Sir Jogindra Singh, Sir Sundar Singh Majithia, Raja Sir Daljit Singh, Sardar Ujjal Singh, Sardar Sampuran Singh, Sardar Sant Singh, Bhagat Jaswant Singh and Gyani Kartar Singh issued the following manifesto on August 17, 1932:—

"The decision establishes a Moslem communal majority in a province like the Punjab, where other communities pay about two-thirds towards the revenue of the province. The small Moslem majority in the population is the result of the northern districts coming into the Punjab as the result of the Sikh conquest. The promises held out to the Sikh community have not been fulfilled. We have not been given the benefit of our increase in the population and the weightage that automatically accrues on it, while the Moslems not only retain their considerable weightage in six provinces, but have been given more than they asked for in the Punjab. They asked for one seat more than the combined representation of all the other communities, but they have been given seven (see Sir Fazl-i-Hussain's resolution of November, 1918, the note prepared for the Simon Commission by Sir Fazl-i-Hussain and Malik Feroze Khan Noon, and the recommendations of the Provincial Reform Committee at the first Round Table Conference). In the private negotiations, with the Prime Minister, in the chair, the Moslem delegates were willing to accept 50 per cent. representation for their community in the Punjab, but the decision of the Government ensures for them 91 seats, i.e., 52 per cent., as they are likely to secure two seats from the Labour constituency which the award has left out of account. The Europeans in Bengal, with less than ½ per cent. population, are given 10 per cent. representation in the Bengal Council and are allowed to hold the balance, while the Sikhs, who form 13 per cent. of the Punjab population and are paying about 40 per cent. of the provincial revenues, with an unchallenged record of loyal services, with hundreds of educational institutions and thousands of religious shrines, are reduced to a position of subordination, in a province which they ruled and in which they have the largest stake in the country.

By establishing an absolute religious communal majority of 52 per cent., the Government have permanently banished the possibility of the formation of parties on non-communal lines and all chances of a communal agreement by the communities themselves. The decision cuts at the very root of the democratic system of Government. The Sikh community is anxious to secure a National Government not only for the Punjab but for the whole of India and can never submit to such a decision, and would rather tolerate the existing constitution than accept the new one, which, in the name of democracy, aims at perpetuating communal differences by setting a single community in a permanent authority, and puts the clock of progress back by several decades. The award has an air of finality about it, but in the name of democracy and self-determination, it can never be the purpose of the British Government—we believe, it can never receive the approval of the world—to force half the population of the province against its wishes into a position of subordination or to enforce a new Constitution without its consent. We are confident that the British Parliament, with its traditions of democracy and sense of justice and fair-play, will never consent to the coercion of a large population against their will into such a one-

sided constitution. We would, at the same time, appeal to our community to exercise control and act in a constitutional manner and prepare itself (1) to secede from the northern districts of the Punjab; (2) to organise opinion to exercise self-determination and (3) to maintain peace and good relations with the sister communities."

EUROPEAN ASSOCIATION

At the direction of the Council of the European Association, the Executive Committee having considered the Communal settlement in conjunction with the Branches, issued the following statement on August 20:—

"By the Communal Award, Europeans are given, in all provinces, a satisfactory increase in their general seats proportionate to the proposed increase in the size of the legislature. This is in accordance with their demands, but in apportioning seats for European Commercial and Planting interests the same principle has not been followed, and the consequence is that the total of the European representation will in every province except one be lower than their present proportionate representation. Europeans throughout India are therefore called upon to make a very considerable sacrifice; but after a careful consideration of all the facts, the general consensus of Branch opinion indicates a readiness to support the Award and to urge all others who are similarly disappointed of their highest hopes to do likewise.

In accepting the Award, they reserve right to press further and to the fullest extent the claims of Europeans in special constituencies where it is still open to do so within the limit of the Award. In no circumstances, whatsoever, can they agree to any number of seats from special constituencies less than that indicated in para. 24 of the Award.

The committee qualified their acceptance of the Award that it must not necessarily be taken to mean acceptance of the enlarged council and the wide franchise proposed. These proposals were still engaging the attention of the Association. The committee pointed out also that the Association always stood for the establishment, in certain provinces of a small but soundly constructed and powerful Second Chambers."

ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION

The Council of the Anglo-Indian and Domiciled European Association felt that Anglo-Indians in Bengal justly merited an award of four seats by reason of the relative importance of its communal activities in the province.

INDIAN CHRISTIAN ASSOCIATION

The Council of the Indian Christian Association wired to His Exceellency the Viceroy their dissatisfaction of the Communal Award in so far as the representation of this community in the Legislative Council was concerned. They held the view that the Award in this particular case, fell short of their expectation and had given two seats less than those recommended by the Franchise Committee.

The Indian Christians of Bengal in a meeting held on September 7 pressed for the granting of joint electorate with reservation of seats, in view of the fact that they wanted to identify themselves with other Indians as one nation for representation on the Legislative Council on a national basis and urge that in view of their numerical strength and high degree of literacy, at least four seats be reserved for them in a joint electorate one of which at least be reserved for women.

WOMEN'S ASSOCIATIONS

The Women's Indian Association Committee deeply regretted that the system of communal electorates should be forced upon the women of the country against their expressed desire to the contrary, as the introduction

of the communal element among the ranks of Indian women who had till now stood united would destroy the last vestige of hopes for building up an united and nationalistic India.

The Central Executive of the National Council of Women in India deeply regretted the terms of the Communal Award as affecting women whose opinion was overwhelmingly against communalism.

LEADERS' VIEWS.

Doctor Kitchlew, Acting President of the Congress, felt that it was against the very essence of nationalism and struck at the root for which the Congress had been fighting for. It set up separate electorates with a vengeance, and created as many divisions as possible in the Indian nation. As such, it would be wholly unacceptable to the Congress which would have to carry on the present struggle. He continued: "I do not think the Award will satisfy any community in India, not even the diehard section amongst the Mussalmans. It would, of course, be unacceptable to the Jamiat-ul-Ulema and the Nationalist Mussalmans. The Award is bound to create a great deal of mischief in the country, the responsibility for which must be laid at the door of the Government."

Mr. Vithalbhai Patel stated that every line of the communal announcement was deliberately designed to help Britain to continue her hold on India by further dividing the communities and classes into water-tight compartments and setting them one against another. He added: "The decisions are calculated to create chaos and might lead to civil war. The scheme forces communalism into the ranks of women, notwithstanding the fact that they, with one voice opposed it before the Lothian Committee. Britain seeks to create an impression in the world abroad that India is hopelessly divided and refuses to recognise the claims of the Congress, which is the only representative body qualified to settle the communal problem in the interests of all concerned."

Dr. Ambedkar in the course of a Press statement, expressed dissatisfaction with the Communal Award, as in his opinion, it had ruthlessly scaled down the Depressed Classes' representation in the provincial legislatures to quite insignificant proportions, thus creating a positive grievance. He was shocked at the denial of the right to representation to the depressed classes in the Punjab. He added that he saw no justification for such treatment being meted out to his community, while Indian Christians and Anglo-Indians had been given undue representation. Such an injustice, he feared would make the All-India Depressed Classes Federation averse to the acceptance of the Award.

Rao Bahadur M. C. Rajah thought that the number of seats allotted to the depressed class in special constituencies were also insignificant compared to the proportion allotted to other communities and interests, that they could be treated as politically untouchable for twenty years. On the other hand, if they had run their candidates in the general constituencies on a reserved seats basis, they would have surely secured a voice in the Government in some of the provinces and partly in the centre.

Dr. Rabindranath Tagore said: "Things have come to such a state that I hate even to complain, knowing the determined attitude of our rulers and the helplessness of our situation. We cannot expect fair dealings from a Power which, for its self-interest, would perpetuate differences amongst our people, regardless of the ultimate consequences, which cannot be good even for itself. I, for my part, would prefer to remain silent, when no words of reason from us are likely to prevail. I feel that our community will have

to make the best of the situation, according to such freedom as we have for taking our own steps. It is for our leaders who are experienced in politics to devise means whereby our community can unite and repudiate the special privileges and the present policy of iniquitous separatism, which can only disrupt the basis of our common hummanity."

Sir Tej Bahadur Sapru was of the opinion that taking into consideration the totality of the circumstances in which the Award had been given he was not prepared to condemn it. He held that hostile criticism must be tempered by the fact that the Award did not bar out any agreed settlement even now and that its operation was limited in duration.

Sir Chimanlal Setalvad while pointing out the glaring defects in the decision declared. "Indians having by their own failure invited the decision there is nothing left for them but to make the best of a bad bargain and submit to it provisionally and proceed with the further and important stages of framing the constitution if the British Government will make it possible by the restoration of the Conference method in its essentials."

The Rt. Hon'ble Srinivasa Sastri thought that adverse criticism of the Communal Award was easy and would, from several aspects, be deserved, but it ill became those, who, by their failure had cast the odious duty on the Government to take up a censorious attitude. Seeing that the door was not closed yet on the agreement of the communities and that in any event, the Award was subject to alteration at the end of a period, those who valued peace must accept the Award with as much grace as possible.

The Aga Khan and **Dr. Shafaat Ahmad Khan** refrained from making any comment on the Communal Award.

Maulana Shafi Daudi held that it was a misnomer to call it an Award. It was the decision of the British Cabinet on the communal question in India.

Maulana Shaukat Ali said: "The Award is apparently based on suspicion and want of confidence in all the communities concerned, and takes full advantage of the differences that have paralysed our work for a long time past. I feel hopeless, because there is no understanding between ourselves. Therefore, there is no choice for the Moslems but to accept the Award such as it is, and work it for what it is worth. It is not too late even now to work out an agreed solution, based on confidence and goodwill all-round." Examining the Award in detail, Moulana Shaukat Ali regarded the representation given to Moslems in Bengal as unfair, where he said they ought to get 51 p.c. seats. He also said that the separation of Sind was absolutely essential and added: "If it would be a deficit province, it would make no more difference whether the Government of Bombay or the Government of India met it, so long as it was in the interests of the majority." The Moulana concluded: "I am sorry for the Depressed Classes, who should deserve more protection."

Sheikh Mushir Hussain Kidwai was of the opinion that even a child could see that it was glaringly biassed in favour of Christians and Europeans, especially in Bengal. In Mr. Kidwai's opinion, it was a mistake on the part of the Muslims to have demanded separate electorates in the Punjab and Bengal. They had been heavily punished in Bengal for this blunder. Their majority had been converted into a minority, although Mr. Ramsay MacDonald had expressed abhorrence at the R. T. C. meetings of this unconstitutional and undemocratic eventuality.

Moulana Abul Kalam Azad characterising the Award as the most dangerous thing that could happen to Indian Nationalism said that the Muslim delegates to the Round Table Conference, in India as well as in London,

could not be persuaded to give up even a comma or a dot of their 14 points. They threatened to create a Civil War if their 14 points were not accepted in toto. Now when the award was announced by the Prime Minister, the Muslims secured only one out of their famous fourteen points, viz., the "Separate Electorate." It was their irreducible minimum as long as they were carrying on negotiations with the Congress but because the question had now been decided by the Government, their irreducible minimum reduced itself to one point alone, viz. "Separate Electorate."

Mr. A. H. Ghuznavi thought that no one would be surprised at the keen disappointment of the Moslems of Bengal. Mr. Ghuznavi proceeded that under the Montagu-Chelmsford constitution they had 40 per cent. of the elected Indian seats in the Council, but there was the solid Official bloc to protect their interest as they were condemned to a minority in the Legislature. He added: "Now, under Mr. MacDonald's "award," they get only 8 per cent. more and the official bloc disappears. The inclusion of Moslem women in the 8 per cent. apparently gained would in practice be a distinct loss to the Moslem representation and cannot but disturb the "delicately adjusted communal balance" which the Prime Minister professes to be so anxious to maintain."

The Mussalmans of Bengal, while appreciating that it was a distinct advance on the present situation, were disappointed to note that the unanswerable claims of the Mussalmans of Bengal to majority representation in the provincial legislature had not been recognised. With the Mussalmans in the position of a permament minority in six provinces and of practically political insignificance in the Central Legislature, it was only just and fair that the claims of the Mussalmans of Bengal to a majority representation in the provincial legislature should not have beeen ignored.

The Sikh Council of Action, in a meeting held in Lahore on August 21, resolved that the communal solution sought to be superimposed by the British Government was not only retrograde and of reactionary character and repugnant to all national and Responsible Government as it established a permanent and unalterable communal majority in the Punjab Council, but was sure further to sow the seeds of communal discord and strife, and accentuate communal bitterness in all spheres of civic life. The Council further emphatically declared that the Sikhs under no circumstances would allow any future constitution to work unless an effective balance of power between the three principal communities was created by adjustment of seats in legislatures, or boundaries of the province by separating predominantly Muslim Districts therefrom, and unless other demands of the Sikhs were fully met. The Council of Action also passed a resolution forbidding the holding of negotiations with Government officials or Muslim leaders on the basis of a Muslim majority in the Punjab Council. Finally, it was decided to open a Sikh Rights Defence Fund.

POONA AGREEMENT

MAHATMA GANDHI DECIDES TO FAST

MAHATMA Gandhi's resolve to fast till the abrogation of the decision in the Communal Award enjoining separate electorates for the depressed classes, was conveyed in the correspondence between him and Sir Samuel Hoare and the Premier. The correspondence was released for publication on September 13, 1932.

Mahatma Gandhi wrote a letter to Sir Samuel Hoare on March 11, 1932 saying, that he would starve himself to death if the Hindu community was dissected by the grant of separate electorates to the depressed classes. He proposed to go on fast on the 20th of September and said that he would continue it even if released. The only way to stop the fast would be for the Government to revise their decision by including the depressed classes in the general electorate under a common franchise, no matter how wide it was.

The Premier in his reply regretted that the Government's decision could not be changed except under conditions laid down in that decision.

The correspondence is reproduced below:—

GANDHIJI'S LETTER TO SIR SAMUEL HOARE

Mahatma Gandhi wrote the following letter to Sir Samuel Hoare from the Yervada Central Prison on March 11, 1932:

"You will perhaps recollect that, at the end of my speech at the Round Table Conference, when the minorities' claim was presented, I had said that I should resist with my life the grant of a separate electorate to the depressed classes. This was not said in the heat of the moment nor by way of rhetoric. It was meant to be a serious statement.

In pursuance of that statement I had hoped, on my return to India, to mobilise public opinion against a separate electorate, at any rate, for the depressed classes. But it was not to be.

APPEAL FOR JOINT ELECTORATE

From the newspapers I am permitted to read I observe that any moment His Majesty's Government may declare their decision. At first I had thought that if the decision was found to create separate electorates for the depressed classes, I should take such steps as I might then consider necessary to give effect to my vow. But I feel that it would be unfair to the British Government for me to act without giving previous notice. Naturally, they could not attach the significance I give to my statement. I need hardly reiterate all the objections I have to the creation of separate electorates for the depressed classes. I feel as if I was one of them. Their case stands on a wholly different footing from that of others. I am not against their representation in the legislatures. I should favour every one of their adults, male and female, being registered as voters, irrespective of education or property qualifications, even though the franchise test may be stricter for others. But I hold that a separate electorate is harmful for them and for Hinduism whatever it may be from a purely political standpoint. To appreciate the harm that separate electorates would do them, one has to know how they are distributed amongst the so-called caste Hindus and how dependent they are on the latter. So far as Hinduism is concerned a separate electorate would simply vivisect and disrupt it. For me the question of

these classes is predominantly moral and religious. The political aspect, important though it is, dwindles into insignificance compared to the moral and religious issue. You will have to appreciate my feelings in this matter by remembering that I have been interested in the conditions of these classes from my boyhood and have more than once staked my all for their sake. I say this not to pride myself in any way. For I feel that no penance which the caste Hindus may do can in any way compensate for the calculated degradation to which they have consigned the depressed classes for centuries. But I know that a separate electorate is neither the penance nor any remedy for the crushing degradation they have groaned under.

THE FATEFUL VOW

I, therefore, respectfully inform His Majesty's Government that, in the event of their decision creating a separate electorate for the depressed classes, I must fast unto death.

I am painfully conscious of the fact that such a step, whilst I am a prisoner, must cause grave embarrassment to His Majesty's Government and that it will be regarded by many as highly improper on the part of one holding my position to introduce into the political field methods which they would describe as hysterical, if not much worse. All I can urge in defence is that for me a contemplated step is not a method, it is a part of my being. It is a call of conscience which I dare not disobey, even though it may cost whatever reputation for sanity I may possess.

So far as I can see now, my discharge from imprisonment would not make the duty of fasting any the less imperative.

I am hoping, however, that all my fears are wholly unjustified and the British Government have no intention whatever of creating a separate electorate for the depressed classes.

DENUNCIATION OF REPRESSION

It is perhaps as well for me to refer to another matter that is agitating me and may also enforce a similar fast. It is the way repression is going. I have no notion when I may receive a shock that would compel the sacrifice. Repression appears to me to be crossing what might be called the legitimate. Governmental terrorism is spreading through the land. Both English and Indian officials are being brutralised. The latter, high and low, are becoming demoralised by reason of the Government rewarding as meritorious disloyalty to people and inhuman conduct towards their own kith and kin. The latter are being cowed down. Free speech has been stifled. Goondaism is being practised in the name of law and order. Women who have come out for public service stand in fear of their honour being insulted.

And all this, as it seems to me, is being done in order to crush the spirit of freedom which the Congress represents. Repression is not confined to punishing civil breaches of common law. It goads people to break newly made orders of autocracy designed, for the most part, to humiliate them.

In all these doings, as I read them, I see no spirit of democracy. Indeed, my recent visit to England has confirmed my opinion that your democracy is a superficial, circumscribed thing. In weightiest matters decisions are taken by individuals or groups without any reference to Parliament and these have been ratified by members having but a vague notion of what they were doing. Such was the case with Egypt, and the War of 1914. My whole being rebels against the idea that in a system called 'democratic' one man should have the unfettered power of affecting the destiny of an ancient people numbering over three hundred millions and that his decisions can be enforced by mobilising the most terrible forces of destruction. To me this is a negation of democracy.

And this repression cannot be prolonged without further embittering the already bitter relations between the two peoples. In so far as I am responsible and can help it, how am I to arrest the process? Not by stopping Civil Disobedience. For me it is an article of faith. I regard myself as by nature a democrat. The democracy of my conception is wholly inconsistent with the use of physical force for enforcing its will. Civil resistance, therefore, has been conceived to be the proper substitute for physical force to be used wherever generally the latter is held necessary or justifiable. It is a process of self-suffering and part of the plan is that, in given circumstances, a civil resister must sacrifice himself even by fasting to a finish. That moment has not yet arrived for me. I have no undeniable call from within for such a step. But the events happening outside are alarming enough to agitate my fundamental being. Therefore, in writing to you about the possibility of a fast regarding the depressed classes. I felt that I would be untrue to you if I did not tell you also that there was another possibility, not remote, of such a fast.

SECRECY ABOUT CORRESPONDENCE

Needless to say that from my side absolute secrecy has been maintained about all the correspondence that I have carried on with you. Of course Sardar Vallabhai Patel and Mahadev Desai, who have just been sent to join us, know all about it. But you will no doubt make whatever use you wish of this letter."

SIR SAMUEL'S REPLY TO MAHATMAJI

In a letter dated April 13, 1932, Sir Samuel Hoare wrote to Mahatma Gandhi:

" I write in answer to your letter of March 11 and I say at once that I realise fully the strength of your feeling upon the question of separate electorates for depressed classes. I can only say that we intend to give any decision that may be necessary solely and only upon the merits of the case. As you are aware, Lord Lothian's Committee has not yet completed its tour and it must be some weeks before we can receive any conclusions at which it may have arrived. When we receive the report, we shall have to give the most careful consideration to its recommendations and we shall not give any decision until we have taken into account, in addition to the views expressed by the Committee, the views that you and those who think with you have so forcibly expressed. I feel sure if you were in our position, you would be taking exactly the same action that we intend to take. You would await the Committee's report, you would then give it your fullest consideration and before arriving at a final decision you would take into account the views that have been expressed on both sides of the controversy. More than this I cannot say. Indeed I do not imagine you would expect me to say more.

NO ABUSE OF ORDINANCES

As to the Ordinances, I can only repeat what I have already said both publicly and privately. I am convinced that it was essential to impose them in face of the deliberate attack upon the very foundations of ordered Government. I am also convinced that both the Government of India and the local Governments are not abusing their extensive powers and are doing everything possible to prevent excessive or vindictive action. We shall not keep the emergency measures in force any longer than we are obliged to for the purpose of maintaining the essentials of law and order and protecting our officials and other classes of the community against terrorist outrages."

GANDHIJI'S LETTER TO THE PREMIER

In course of a letter dated Yervada Central Prison, August 18, 1932, Mahatma Gandhi wrote to the Prime Minister:—

"There can be no doubt that Sir Samuel Hoare has showed the Cabinet my letter to him of March 11 on the question of representation of "Depressed" classes. That letter should be treated as part of this letter and be read together with this.

CONDITIONS OF THE FASTING

I have read the British Government's decision on the representation of minorities and have slept over it. In pursuance of my letter to Sir Samuel Hoare and my declaration at the meeting of the minorities committee of the Round Table Conference on November 13, 1931 at St. James's Palace, I have to resist your decision with my life. The only way I can do so is by declaring perpetual fast unto death from food of any kind save water with or without salt and soda. This fast will cease if during its progress the British Government, of its own motion or under pressure of public opinion, revise their decision and withdraw their scheme of communal electorates for the depressed classes whose representatives should be elected by general electorate under common franchise, no matter how wide it is.

REQUEST FOR PUBLICATION OF THE CORRESPONDENCE

The proposed fast will come into operation in the ordinary course from the noon of September 20 next, unless the said decision is meanwhile revised in the manner suggested above. I am asking the authorities here to cable the text of this letter to you so as to give ample notice. But in any case I am leaving sufficient time for this letter to reach you in time by the slowest route. I also ask that this letter and my letter to Sir Samuel Hoare already referred to be published at the earliest possible moment. On my part I have scrupulously observed the rule of the jail and have communicated my desire or the contents of the two letters to no one save two companions, Sardar Vallabhai Patel and Sjt. Mahadev Desai. But I want, if you make it possible, public opinion to be affected by my letters. Hence my request for their early publication.

REASONS BEHIND FASTING

I regret the decision I have taken. But as a man of religion that I hold myself to be, I have no other course left open to me. As I have said in my letter to Sir Samuel Hoare, even if His Majesty's Government decided to release me in order to save themselves embarrassment, my fast will have to continue. For I cannot now hope to resist the decision by any other means. And I have no desire whatsoever to compass my release by any means other than honourable. It may be that my judgment is warped and that I am wholly in error in regarding separate electorates for "depressed" classes as harmful to them or Hinduism. If so, I am not likely to be in the right with reference to other parts of my philosophy of life. In that case my death by fasting will be at once a penance for my error and a lifting of a weight from off those numberless men and women who have child-like faith in my wisdom. Whereas, if my judgment is right, as I have little doubt it is, the contemplated step is but due fulfilment of the scheme of life which I have tried for more than a quarter of a century—apparently not without considerable success."

PREMIER'S REPLY TO GANDHIJI

Mr. Ramsay MacDonald despatched the following reply to Mahatma Gandhi from 10, Downing Street, London, on September 8, 1932:—

"I have received your letter with much surprise, and let me add with very sincere regret. Moreover, I cannot help thinking that you have written under a misunderstanding as to what the decision of His Majesty's Government as regards the depressed classes really implies.

PREMIER'S DEFENCE OF THE AWARD

We have always understood that you were irrevocably opposed to permanent segregation of the depressed classes from the Hindu community. You made your position very clear on the Minority Committee of the Round Table Conference and you expressed it again in the letter that you wrote to Sir Samuel Hoare on March 11. We also knew that your view was shared by the great body of Hindu opinion and we therefore took it into most careful account when we were considering the question of representation of the depressed classes. Whilst in view of the numerous appeals that we have received from depressed class organizations and generally admitted the social disabilities under which they labour, and which you have often recognized, we felt it our duty to safeguard what we believed to be the right of the depressed classes to a fair proportion of representation in the legislatures, we were equally careful to do nothing that would split off their community from the Hindu world. You yourself stated in your letter of March 11 that you were not against their representation in the legislatures. Under Government's scheme the depressed classes will remain a part of the Hindu community and will vote with the Hindu electorate on an equal footing, but for the first twenty years, while still remaining electorally part of the Hindu community, they will receive, through a limited number of special constituencies, a means of safeguarding their rights and interests. That we are convinced is necessary under present conditions. Where these constituencies are created, members of the depressed classes will not be deprived of their votes in general Hindu constituencies but will have two votes in order that their membership of the Hindu community should remain unimpaired.

DOUBLE VOTES FOR DEPRESSED CLASSES

We deliberately decided against the creation of what you describe as a communal electorate for the depressed classes and include all depressed class voters in general or Hindu constituencies so that the higher caste candidates should have to solicit their votes or the depressed class candidates should have to solicit votes of the higher castes at the elections. Thus, in every way was the unity of the Hindu society preserved. We felt, however, that during the early period of responsible government, when power in the provinces would pass to whoever possessed the majority in the legislatures, it was essential that the depressed classes, whom you have yourself described in your letter to Sir Samuel Hoare as having been consigned by caste Hindus to calculated degradation for centuries, should return a certain number of members of their own choosing to the legislatures of seven of the nine provinces to voice their grievances and their ideals and prevent the decisions going against them without the legislature and the Government listening to their case—in a word to place them in a position to speak for themselves which every fair-minded person must agree to be necessary. We did not consider that the method of electing special representatives by reservation of seats in joint electorates would secure to the depressed classes in the existing conditions, under any system of franchise which is practicable, members who could genuinely represent them and be responsible to them because, in practically all cases, such members would be elected by a majority consisting of higher caste Hindus.

SPECIAL ADVANTAGE TO THE DEPRESSED CLASSES

The special advantage initially given under our scheme to the depressed classes by means of a limited number of special constituencies in addition to their normal electoral rights in general Hindu constituencies is wholly different in conception and effect from the method of representation adopted

for a minority such as the Moslems by means of separate communal electorates; for example, a Moslem cannot vote or be a candidate in a general constituency whereas any electorally qualified member of the depressed classes can vote in and stand for a general constituency. The number of territorial seats allotted to the Moslems is naturally conditioned by the fact that it is impossible for them to gain any further territorial seats, and in most provinces they enjoy weightage in excess of their population ration; the number of special seats to be filled from special depressed class constituencies will be seen to be small and has been fixed not to provide a quota numerically appropriate for the total representation of the whole depressed class population but solely to secure a minimum number of spokesmen for the depressed classes in the legislatures who are chosen exclusively by the depressed classes. The proportion of their special seats is everywhere much below the population percentage of the depressed classes.

As I understand your attitude, you propose to adopt the extreme course of starving yourself to death not in order to secure that depressed classes should have joint electorates with other Hindus, because that is already provided, nor to maintain the unity of Hindus which is also provided, but solely to prevent the depressed classes, who admittedly suffer from terrible disabilities to-day, from being able to secure a limited number of representatives of their own choosing to speak on their behalf in the legislatures which will have a dominating influence over their future. In the light of these very fair and cautious proposals, I am quite unable to understand the reason of the decision that you have taken and can only think that you have made it under a misapprehension of the actual facts.

GOVERNMENT DECISION STANDS

In response to the very general request from Indians after they had failed to produce a settlement themselves, the Government, much against its will, undertook to give a decision on the minorities question. They have now given it. They cannot be expected to alter it except on the condition they have stated.

I am afraid, therefore, that my answer to you must be that the Government's decision stands and that only the agreement of the communities themselves can substitute other electoral arrangements for those that the Government have devised in a sincere endeavour to weigh conflicting claims on their just merits.

APPEAL FOR RECONSIDERATION

You ask that this correspondence, including your letter to Sir Samuel Hoare of March 11, should be published. As it would seem to me unfair if your present internment were to deprive you of the opportunity of explaining to the public the reason why you intend to fast, I readily agree to the request if on reconsideration you repeat it. Let me however once again urge you to consider, the actual details of Government's decision and ask yourself seriously the question whether it really justifies you in taking the action that you contemplate."

GANDHIJI'S SECOND LETTER TO THE PREMIER

Mahatma Gandhi, in a letter dated Yervada Central Prison, 9th September, 1932, addressed to Mr. MacDonald, wrote:

"I have to thank you for your frank and full letter telegraphed and received this day. I am sorry, however, that you put upon the contemplated step an interpretation that never crossed my mind. I have claimed to speak on behalf of the very class to sacrifice whose interests you impute to me a desire to fast myself to death. I had hoped that the extreme step itself would effectively prevent any such selfish interpretation. Without arguing I

affirm that for me this matter is one of pure religion. The mere fact of the "depressed" classes having double votes does not protect them or the Hindu society in general from being disrupted. In the establishment of separate electorates at all for the "depressed" classes, I sense the injection of poison that is calculated to destroy Hinduism and do no good whatever to the "depressed" classes. You will please permit me to say, no matter how sympathetic you may be, you cannot come to a correct decision on a matter of such vital and religious importance to the parties concerned. I should not be against even over-representation of the "depressed" classes. What I am against is their statutory separation, even in a limited form, from the Hindu fold so long as they choose to belong to it. Do you realise that if your decision stands and a constitution comes into being, you arrest the marvellous growth of the work of Hindu reformers who have dedicated themselves to the uplift of their suppressed brethern in every walk of life?

I have therefore been compelled reluctantly to adhere to the decision conveyed to you.

As your letter may give rise to a misundersanding, I wish to state that the fact of my having isolated for special treatment the "depressed" classes question from other parts of your decision does not in any way mean that I approve of or am reconciled to other parts of the decision. In my opinion, many other parts are open to very grave objection. Only I do not consider them to be any warrant for calling from me such self-immolation as my conscience has prompted me to in the matter of the "depressed" classes."

STIR IN THE COUNTRY

Gandhiji's grim resolve to resist with life the separation of the depressed classes from the general body of the Hindu community created an unprecedented stir from one end of the country to the other. Never did the question of the depressed classes force itself upon the minds of the caste Hindus with greater poignancy. The Premier's Award so far as it affected the depressed classes was criticised adversely by some Hindu leaders, but Gandhiji's vow of extreme self-sacrifice seemed to lift the question at once to a plane of tragic emotion. The far-reaching effects of the Award appeared before the public eyes in all its nakedness in so far as it threatened to vivisect and disrupt the Hindu Society. There grew in course of a few days a miraculous unanimity among the Hindus as a class that the Award was a deliberate and sinister scheme to set brother against brother and class against class and thus strike at the root of Indian nationalism.

The leaders of the country were stunned by the news. A responsibility of inordinate character lay upon them. They could not callously allow such a national tragedy to reach its extreme level. They recognised and realised that the step Gandhiji proposed to take was the only effective way of registering the country's repudiation of the Prime Minister's Communal Award. They despatched urgent wires to Mahatma Gandhi ardently requesting him to desist from the fast.

GANDHIJI'S DECISION UNALTERABLE

Sir T. B. Sapru, Mr. Jamshed Mehta (President of the Karachi Municipality), and Mr. G. D. Birla, among others, appealed to Gandhiji to desist from the momentous action that he was about to take. Mr. C. F. Andrews, Mr. V. J. Patel, from London and many others from abroad sent out earnest appeals to the Mahatma to the same effect. To all of them Mahatma Gandhi replied praying not to be requested to alter a decision taken in God's name and as His Call. As he looked at it, it was a God-given opportunity that

had come to him for offering final sacrifice for the down-trodden and there was therefore every cause for rejoicing and nothing to be upset about. His decision was unalterable.

QUESTION OF MAHATMA GANDHI'S RELEASE

In view of the impending fast, the members of the Indian Legislative Assembly moved for the release of Mahatma Gandhi. There was also a strong opinion in the country for his immediate release to enable Mahatma Gandhi to make an effort to bring about a lasting solution about the representation of the depressed classes. In pursuance of this a statement was made by the Home Member in the Legislative Assembly announcing that Government had decided that as soon as Gandhiji actually began fast, he should be removed from jail to a suitable place of private residence and that the only restriction that would be imposed upon him would be that he should remain there The intention was that he should in that way be accorded full facilities for discussing the problem of the depressed classes for endeavouring to effect an agreement with them.

GANDHIJI REFUSES CONDITIONAL RELEASE

Gandhiji however wrote to the authorities refusing conditional release as would appear from his telegram to the Private Secretary to the Viceroy :—

"Have just read with considerable pain, the announcement that Government decides to remove me on the commencement of the contemplated fast to an unknown private residence under certain restrictions. To avoid unnecessary trouble, and unnecessary public expense, also unnecessary worry to myself, I would ask the Government not to disturb me, for I will be unable to conform to any conditions as to the movement from place to place or otherwise that may be attached to the foreshadowed release."

HOME MEMBER'S STATEMENT IN THE ASSEMBLY

Following this, another statement was made by the Government both in the Indian Legislative Assembly and the Bombay Legislative Council, offering Gandhiji facilities for the discussion of the depressed classes problem. The statement ran as follows :—

"The Government while replying to Mr. Gandhi's decision, have no wish to force upon him an arrangement distasteful to him. He will therefore in accordance with his request, be allowed to remain undisturbed in the Yervada Jail At the same time Government are most anxious that this change of plan should not affect opportunities for the discussion of the depressed class problem, which they had contemplated, should be available for him. They have therefore decided that unless subsequent developments render any change necessary, he should receive in the jail all reasonable facilities such as private interviews with such persons or deputations as he may wish to see and that there should be no restriction on his correspondence."

GANDHIJI DURING HIS FAST

Gandhiji commenced his fast in the Yervada Jail at 12 noon on September 20, 1932 with a Hindi prayer song beginning with the line "O traveller, get up, leave your bed because it is daybreak." Messrs. Mahadev Desai, Vallabhbhai Patel and Pyarelal attended upon him while Mrs. Gandhi who was in the Sabarmati jail was allowed to wait upon her husband. Intimate friends and associates visited him to keep him company.

During the days of fast, which Mahatmaji broke in the evening of September 26, he regularly received visitors and deputations and had

numerous interviews, involving a discussion of a complicated political scheme with persons leading deputations to him and the Hindu leaders including those of the depressed classes who were conferring together to arrive at an agreed settlement. Though his physical strength gradually declined and he felt more and more exhausted as the days wore on, he observed his usual routine of holding prayers in the morning and plying his spinning wheel. On September 25 Gandhiji's weakness was more noticeable. Low moans frequently escaped him. He had to be assisted into a stretcher from the bed and back from the stretcher to the bed. He had to make an obvious effort to turn the charkha. He also needed assistance in repairing the broken yarn, but his mind scarcely lost its keenness. On the morning of September 26 he was examined by a Medical Board including Dr. Gilder and Dr. Patel, Col. Doyle, Major Bhandari and Major B. Mehta. In their opinion Gandhiji's vitality was decidedly lower than it was the previous day. It was stated that, though he did not now suffer from nausea, other symptoms pointed to the fact that he had definitely entered the danger zone, which meant that he had entered a state in which the end was nearer. He had entered that phase of his illness in which, apart from the risks of a sudden collapse or paralysis, the danger was increasing every day, and it might be that some danger might still remain even if he broke his fast.

BREAKING THE FAST

A copy of the Premier's reply, accepting the terms of the Poona Agreement signed on September 24, was handed to Gandhiji at about 4-15 p.m. on September 26. He read through it lying on his cot, thought about it for some time, and then without a word, handed it to friends who read it and discussed it among themselves, Gandhiji taking little part in the discussion. He then asked them to explain the meaning of the statement and they all unanimously opined that it was thoroughly satisfactory, and that there was no reason for his continuing the fast. "There are many reservations in the document. It is perhaps desirable to show it to the leaders of the Depressed Classes Dr. Ambedkar and Mr. Rajah" were reported to have been Gandhiji's remarks.

The historic fast was then broken with solemn hymns and prayers admidst relatives and friends.

HINDU LEADERS' CONFERENCE

PANDIT MALAVIYA'S APPEAL

Following the release of the correspondence between Mahatma Gandhi and the Premier, Pandit Madan Mohan Malaviya appealed on September 13, 1932 to the Depressed Classes and to all other Hindu leaders to meet and discuss the matter with a determination to come to an agreement. In course of the appeal it was stated: "Mr. Ramsay MacDonald has coldly said that the decision of the British Government stands, but he has added that by agreement the communities themselves can substitute other electoral arrangements for those that the Government have devised. Despite our failure in the past, I honestly believe that there is enough of patriotism and devotion to religion among us to help us to arrive at an agreement which will satisfy the reasonable desire of the leaders of the Depressed Classes."

Hindu leaders from all parts of the country eagerly responded to the call and assembled in Bombay on September 19, 1932 to seek a solution of the impasse presented by Gandhiii's decision to fast.

The Conference was a representative one, as all schools of thought from almost all the Provinces were represented. Prominent among those who

were present at the Conference were Pandit Malaviya, Mr. C. Rajagopalachari. Babu Rajendra Prasad, Mr. M. C. Raja, Dr. B. S. Moonje, Sir Chimanlal Setalvad, Mr. M. R. Baloo, Mr. T. Prakasam, Dr. Ambedkar, Dr. Solonky, Mr. K. Natarajan, Mr. M. S. Aney, Mr. G. K. Devadhar, Mr. A. V. Thakkar, Sir Govind Madgavkar, Dr. Choitram, Mr. Gidwani, Swami Satyanand, Mr. D. P. Khaitan, Mrs. Gokhale, Mr. Walchand Hirachand, Mr. B. J. Deorukhar, Mr. Raja Rao, Mrs. Kamala Nehru and Pandit Hridyanath Kunzru. Besides the persons mentioned above, a large number of representatives of Depressed Classes from various provinces were also present.

DR. AMBEDKAR'S PROPOSALS

The issue involved was whether the depressed classes were agreeable to forego separate electorate granted to them by the Communal Award. Rao Bahadur M. C. Rajah, President, All-India Depressed Classes Association who was opposed in principle to separate electorate for the depressed classes pressed for the acceptance of the Rajah-Moonje Pact. Dr. Amedkar, the R. T. C. delegate, however formulated the precise conditions under which the depressed classes could be prevailed upon to waive their demand for separate electorate. His draft proposals, placed before the Conference, were:—

PART I

(1) The Depressed Classes shall have the following number of seats in the Provincial Legislatures:

Madras 30 out of 215; Bombay 16 out of 200; Bengal 50 out of 250; Punjab 10 out of 125; United Provinces 40 out of 228; Bihar and Orissa 20 out of 175. Central Provinces and Berar 20 out of 112; Assam 11 out of 108.

(2) The method of election to these seats shall be by joint electorates with reserved seats, provided that for the first ten years in 18 single constituencies in Madras, 10 in Bombay, 10 in Central Provinces, 10 in Bengal, 4 in Assam, 7 in Bihar and Orissa, 5 in the Punjab and 12 in U. P. (all in single constituencies) there shall be held before the general election a primary election of voters of the Depressed Classes for electing two persons to constitute a panel, who, thereafter shall contest on behalf of the Depressed Classes in the joint electorates

(3) After the first ten years the system of primary election shall cease and the seats continue to be filled by direct election in the system of joint electorates with reserved seats.

(4) The right of Depressed Classes to special representation through joint electorates and reserved seats shall continue for a further period of 15 years. After that the matter will be settled on the basis of a referendum of the Depressed Classes.

(5) The right of the Depressed Classes to special representation in both Houses of the Central Legislature shall be recognised on a population ratio on the same terms and in the same manner as provided for in the case of Provincial Legislatures.

(6) There shall be adult suffrage at least for the Depressed Classes. The franchise of the Depressed Classes shall be the same for the Provincial and Central Legislatures

PART II.

1. The Depressed Classes shall be allowed representation in all Provincial Municipalities, Local Boards, District and Taluk Boards, Village Unions, School Boards, and Panchayats and any other local bodies now existing or to be constituted in future on a population basis.

2. In all public services, central and local, the Depressed Classes shall be guaranteed appointments according to the population ratio as a minimum,

subject to such qualification as may be laid down for the same. Provision shall be made for relaxing statutory rules that may be in existence in matters other than educational qualifications.

3. In every province out of the educational grant a sum equal to the population ratio of the Depressed Classes shall be earmarked as a minimum for providing educational facilities for Depressed Classes.

4. There shall be provision in the constitution for allowing the Depressed Classes the right to appeal to the Governor or the Viceroy for any neglect of their interest in matters of education, recruitment to public services, sanitation, etc., on the same terms in the same manner as provided for in the constitution of Canada.

PROCEEDINGS OF THE HINDU LEADERS' CONFERENCE

An account of the proceedings of the conference follows date by date :—

SEPTEMBER 19, 1932.

PRELIMINARY DISCUSSIONS

Pandit Malaviya opened with a fervent appeal not to be led into side-issues, but to concentrate on the central fact that Gandhiji's life must be saved at any cost. Malaviyaji then explained the purpose of the Conference, emphasising the gravity of the situation and the absolute necessity of a speedy settlement.

A general discussion followed, wherein several persons including Dr. Ambedkar, Dr. Moonje, Mr. Rajah, Pt. Kunzru, Mr. Prakasam, Mr. Rajagopalachari and some Depressed Class representatives took part. The unanimous feeling was that Mahatma Gandhi's life must be saved.

Dr. Ambedkar pressed that Mahatma Gandhi's proposals must be obtained first before he and his friends could discuss the matter. The meeting, therefore, adjourned to 12 noon the next day, when it was hoped, information regarding Gandhiji's views would be available from the deputation that was seeing him in Poona that day.

Mr. Rajah asked the Caste-Hindu leaders, particularly Pt. Malaviya, to give them an assurance that they would strive their utmost to remove the various disabilities imposed upon the Depressed Classes, particularly those regarding public temples, roads, wells and schools, and suggested that a resolution to that effect be adopted by the Conference.

Pt. Malaviya, in endorsing the idea wholeheartedly, said that he himself had been actively propagating for years the removal of such restrictions.

SEPTEMBER 20, 1932.

GANDHIJI'S VIEWS PLACED BEFORE THE CONFERENCE

Sir Chunilal V. Mehta, on behalf of the Bombay Hindu Leaders' Deputation, stated that they had two hours' interview with Gandhiji. Gandhiji was was definitely opposed to separate electorates and did not approve of joint electorates with reservation of seats, but however he left it to the Conference to draw up a formula regarding settlement and if the Conference was in favour of reservation of seats, he had no objection to accept them. In fact, he left it to the Conference to draw up a pact or a formula and he assured that he would be bound by the same.

Dr. Ambedkar observed that it was not possible for him to arrive at a quick decision on this important question, without consulting his other colleagues. He therefore suggested that the Conference should pass a resolution requesting Gandhiji to postpone his fast by at least ten or twelve days, in order to enable the Conference to come to an agreed and unanimous decision

The deputation, however, explained that it was impossible for Gandhiji to suspend his fast and he was positively beginning it from that day. It would therefore be merely a waste of time for the Conference to suggest postponement of the fast.

NEED OF QUICK DECISION

The feeling was at this stage expressed that the Conference should come to a decision as soon as possible, as an delay involved the question of the life and death of Mahatma Gandhi.

A SMALL COMMITTEE TO DRAFT A SCHEME

It was then suggested that a small committee should be appointed to go into the whole question thoroughly, and draw up a scheme which should be placed before the Conference the next day.

SEPTEMBER 21, 1932.

MEETING AT YERVADA

A deputation consisting of Sir T. B. Sapru, Mr M. R. Jayakar, Mr. C. Rajagopalachariar, Mr. Rajendra Prasad, and Mr. G. D. Birla had a long interview with Gandhiji this morning, when they explained to him the scheme which had been evolved after consultations. Sir T. B. Sapru, with whom the scheme originated, was verv hopeful, that it would be acceptable to the Mahatma Gandhi. But Gandhiji reserved his final opinion until he had consulted friends including Dr. Ambedkar and Mr. M. C. Raja. The Bombay Conference was adjourned to September 23, to enable the conversations at Yervada to be concluded.

SEPTEMBER 22, 1932.

POONA DISCUSSIONS CONTINUED

The discussions in Yervada jail began at 5-30 p.m. and lasted full two hours. Mr. Rajagopalachari, Sir T. B. Sapru, Mr. Jayakar, Pandit Malaviya, Mr. Rajendra Prasad, Mr. G. D. Birla, Mr. Shankarlal Banker, Mr. Sivaraj, Dr. Solanki and three from Dr. Ambedkar's group attended. A heart to heart talk followed when the conference adjourned for the next day.

SEPTEMBER 23, 1932.

ALLOCATION OF SEATS

Caste-Hindus and Ambedkarites sat in conference almost without interval for more than twelve hours, from nine in the morning, excepting for half-an-hour's interval for lunch.

There was a heated discussions on the question of the number of seats to be allotted to the Depressed Classes in the legislatures. This prolonged sitting enabled the participators to reach a settlement on all points except two. The method of double election was approved for 71 seats, the rest to be filled by the method of joint electorates with reserved seats. Four candidates chosen by the Depressed Classes community would constitute the panel. There was a heated discussion on this issue. Ambedkarites tried to restrict the panel to two, but Caste-Hindus wanted six. Gandhiji suggested that five could constitute the panel. The Conference finally decided that four persons should constitute the panel. It was also agreed that the Depressed Class would have adequate representation in the Central Legislature. There was to be adult suffrage for the Depressed Classes. Franchise was to be the same for the provincial and the Central Legislature.

As for Dr. Ambedkar's demand relating to local bodies and public services, it was decided to issue a declaration assuring support to the Depressed Classes' claims. Dr. Ambedkar agreed to withdraw this portion from the scheme.

SEPTEMBER 24, 1932.

REFERENDUM QUESTION

After two hours' conference in the morning only two minor points were left over for settlement.

The first related to the period which must intervene before a referendum is taken. Dr. Ambedkar thought that a referendum should be taken at the end of ten years. Mr. Rajagopalachari proposed that it might be taken at the end of the fifth year. There was a difference of opinion among the Depressed Classes members present. Dr. Ambedkar himself was prepared to accept Mr. Rajagopalachariar's proposal. So were his colleagues who were with him from Thursday, but fresh arrivals on Saturday morning took up an uncompromising attitude. Mr. Rajagopalachariar suggested that Dr Ambedkar, Mr. Srinivasan and two Caste-Hindus should refer the point to Mahatmaji for arbitration. Mr. Birla, Mr. Rajagopalachari, Dr. Ambedkar and Mr. Srinivasan rushed to Yervada at 11 a.m. Mahatmaji made a fervent appeal to Dr. Ambedkar and Mr. Srinivasan to give him a chance to remove their disabilities by working for them. The referendum was a good idea, but he was strongly in favour of taking it next year. When pressed to give his decision on the dispute, he preferred the lesser evil. When the deputationists returned, discussions were resumed on Gandhiji's award. At this stage Mr. Rajagopalachari suggested that there need be no reference at all to a referendum and the question of continuing the reservations might be determined by mutual agreement between the communities concerned in the settlement. Dr. Ambedkar and his friends agreed to it.

ALLOCATION OF SEATS SETTLED

The second point of difference was with regard to the number of seats in the Provincial and Central Legislatures. This was settled without much discussion.

AGREEMENT SIGNED

At 6 p.m., leaders of Caste Hindus and Depressed Classes signed the historic agreement. Pandit Malaviya, as President and leader of the Caste Hindus, affixed his signature first. Dr. Ambedkar signed next. Then followed Sir Tej Bahadur, Mr. R. Srinivasan, Mr. Jayakar and other members present.

The Conference at once proceeded to draft a cable embodying the Conference's decision and urging the Premier to withdraw separate electorates for the depressed classes to enable Mahatmaji, whose condition was steadily getting worse, to break his fast.

Soon after the agreement was signed the leaders deposited a copy of the agreement with the Bombay Government for transmission to the Government of India and the Premier. Cables were also sent by the leaders in their personal capacity to the Premier, Secretary of State for India and the Viceroy appealing to them to accept the settlement and drawing attention to the ebbing vitality of Mahatma Gandhi.

At seven the leaders who had attended the conference, visited Mahatmaji with the full copy of the settlement.

Though weak and his voice was feeble, Mahatmaji asked each one of the contending parties if he was satisfied with the agreement, to which

the parties signified their satisfaction. Gandhiji however decided to discontinue his fast as soon as he received a reply from the Premier withdrawing separate electorate.

SEPTEMBER 25, 1932.

RATIFICATION OF THE AGREEMENT

The Hindu Leaders' Conference re-assembled in Bombay under the presidency of Pandit Madan Mohan Malaviya, and unanimously ratified the Poona Agreement.

The Conference further resolved to appoint an influential committee, the personnel of which was left to be selected by the President of the Conference, to raise twenty-five lakhs of rupees for the purpose of carrying out a country-wide propaganda for the eradication of the evil of Untouchability in all shape or form in the country.

The following is the full text of the resolutions:—

(1) This Conference confirms the Poona Agreement arrived at between the leaders of the Caste-Hindus and Depressed Classes on the 24th September, and trusts that the British Government will withdraw its decision creating separate electorates within the Hindu community and accept the agreement in full; the Conference urges that immediate action should be taken by the Government so as to enable Gandhiji to break his fast within the terms of his vow, and before it becomes too late; the Conference appeals to all leaders of the communities concerned to realise the implication of the agreement and of this resolution, and make the earliest endeavours to fulfil them.

(2) This Conference resolves that henceforth no one shall be regarded as "Untouchable" by reason of his birth, and that those who have been so regarded hitherto will have the same rights as other Hindus with regard to the use of public wells, roads, schools and other public institutions. These rights shall have statutory recognition at the first opportunity and shall be one of the earliest Acts of the Swaraj Parliament, if it shall not have received recognition before that time.

TEXT OF AGREEMENT

The following is the text of the agreement arrived at between the leaders acting on behalf of the Depressed Classes and the rest of the Hindu community regarding the representation of the Depressed Classes in the legislatures, and certain other matters affecting their welfare:—

(1) There shall be seats reserved for the Depressed Classes out of the general electorates seats in the Provincial Legislatures as follows:

Madras 30; Bombay with Sind 15; Punjab 8; Bihar and Orissa 18, Central Provinces 20; Assam 7; Bengal 30; United Provinces 20. Total 148.

These figures are based on the total strength of the Provincial Councils, announced in the Prime Minister's decision.

(2) Election to these seats shall be by joint electorates subject, however, to the following procedure:

All the members of the Depressed Classes registered in the general electoral roll in a constituency will form an electoral college, which will elect a panel of four candidates belonging to the Depressed Classes for each of such reserved seats, by the method of the single vote; the four persons getting the highest number of votes in such primary election, shall be candidates for election by the general electorate.

(3) Representation of the Depressed Classes in the Central Legislature shall likewise be on the principle of joint electorates and reserved seats by

the method of primary election in the manner provided for in Clause two above, for their representation in the Provincial Legislature.

(4) In the Central Legislature, eighteen per cent. of the seats allotted to the general electorate for British India in the said legislature shall be reserved for the Depressed Classes.

(5) The system of primary election to a panel of candidates for election to the Central and Provincial Legislatures, as hereinbefore mentioned, shall come to an end after the first ten years, unless terminated sooner by mutual agreement between the communities concerned in the settlement.

(6) The system of representation of the Depressed Classes by reserved seats in the Provincial and Central Legislatures as provided for in Clauses 1 and 4 shall continue until determined by mutual agreement between the communities concerned in the settlement.

(7) Franchise for the Central and Provincial Legislatures for the Depressed Classes shall be as indicated in the Lothian Committee Report.

(8) There shall be no disabilities attaching to any one on the ground of his being a member of the Depressed Classes in regard to any elections to local bodies or appointment to the Public Services. Every endeavour shall be made to secure fair representation of the Depressed Classes in these respects, subject to such educational qualifications as may be laid down for appointment to the Public Services.

(9) In every province out of the educational grant, an adequate sum shall be earmarked for providing educational facilities to the members of the Depressed Classes.

All the leaders present in Poona, including Pandit Malaviya, Dr. Ambedkar, Dr. Solanki, Rao Bahadur Sreenivasan, Sir Tej Bahadur Sapru, Mr. Jayakar, Rao Bahadur M. C. Raja, Mr. P. Baloo, Mr. Rajbhoj and Mr. Sivraj signed the agreement.

HINDU MAHA SABHA RATIFIES THE AGREEMENT

The Hindu Maha Sabha met on September 25 and endorsed the Poona agreement, calling upon the Government to dispense with the proposed procedure of consulting Provincial Governments in the matter, as public opinion in every province had already asserted itself in unmistakable terms in favour of any settlement that might be arrived at to save Gandhiji's life. The Maha Sabha urged on the Premier to alter the Award accordingly and make the necessary announcement immediately.

GOVERNMENT ACCEPTANCE OF THE AGREEMENT

After prolonged consultations between Mr. Ramsay MacDonald, Mr. Stanley Baldwin and the Secretary and Under-Secretary of State for India, which lasted until 1 a.m. on September 26, the British Government announced that they were prepared to recommend to Parliament to endorse the clauses of the Poona Agreement.

It was authoritatively pointed out in this connection that the Government had always desired that the Indian communities should settle their own differences and had indicated their readiness to replace the Award, which they had felt impelled to make, by any agreement. The whole object of the Government concern with the Depressed Class question was to give that community a chance of getting its grievances redressed and it was now felt that the Depressed Classes were being given a good and fair run owing to Caste-Hindus agreeing to afford an opportunity.

ANNOUNCEMENT IN THE LEGISLATIVE ASSEMBLY

An announcement to the effect was made in the Indian Legislative Assembly on September 26, 1932 by Mr. H. G. Haig, the Home Member. He said:—

" His Majesty's Government have learnt with great satisfaction, that an agreement has been reached between the leaders of the Depressed Classes and of the rest of the Hindu Community regarding the representation of the Depressed Classes in the new legislatures and certain other matters affecting their welfare, in the place of the system of general constituencies contained in the Government's Communal Award of the 4th. August last.

" The Agreement provides for general constituencies within which seats are reserved for the Depressed Classes, subject to important conditions, as to the manner in which the reserved seats are filled. The Government in their Award, which was given in the absence of agreement between the communities, were solely concerned in relation to the Depressed Classes to provide adequate securities that the interests of these classes should be observed by the new legislatures. As representatives of the Depressed Classes and other Hindus acting together believe that the scheme now forwarded by them to his Majesty's Government is adequate for that purposes, the Government in accordance with the procedure which they laid down in paragraph 4 of their Award will recommend to Parliament in due course the adoption of the clauses of the Agreement dealing with representation in the Provincial Legislatures in place of the provisions in paragraph 9 of the Award.

" It will be understood that the total number of general seats including those reserved for the depressed classes under the agreement will in each Province remain the same as the number of general seats plus the number of special depressed class seats provided for in His Majesty's Government's decision.

LIMITATIONS OF THE ACCEPTANCE

" His Majesty's Government note that the agreement deals also with certain questions outside the scope of their Award of August 4th. Clauses 8 and 9 deal with general points the realisation of which will be likely to depend in the main on the actual working of the constitution, but His Majesty's Government take note of these clauses as a definite pledge of the Caste-Hindus towards the depressed classes.

" There are two other points outside the scope of their award. (1) The Agreement contemplates that the Franchise for Depressed Classes should be that recommended by the Franchise (Lord Lothian) Committee. It is obvious that the level of the franchise for the Depressed Classes (and indeed for Hindus generally) must be determined at the same time as that for other communities is being settled and the whole subject is under consideration by His Majesty's Government. (2) The Agreement also provides for a particular method of electing Depressed Class representatives for the legislature at the Centre. This, again, is a subject outside the terms of this award which is under investigation as part of the whole scheme for election for the Legisulature at the Centre, and no piecemeal conclusion can be reached. What has been on these two points should not be regarded as implying that His Majesty's Government are against what is proposed in the Agreement, but that these questions are still under consideration. To prevent misunderstanding it may be explained that the Government regard the figure 18 per cent. for the percentage of British India general seats at the Centre to be reserved for the Depressed Classes as a matter for settlement between them and other Hindus."

CRUSADE AGAINST UNTOUCHABILITY

Though Gandhiji's fast was against separate electorate for the depressed classes, it was soon raised to a higher issue than that of inducing the depressed section of the Hindus to give up separate electorate. It was a

call to the caste-Hindus to eradicate untouchability root and branch from the Hindu society, wipe out the inequalities between individuals and races and to work for India's unity and social integrity. As Gandhiji said that this fight against untouchability was a fight against the impure in humanity. Replying to American friends who were bewildered by the vow of self-immolation, Mahatma Gandhi said:—

"This preparation for death for 'untouchability' is a veritable preparation for Swaraj for the whole of India, for the removal of untouchability is an integral part of Swaraj. I would reject a Swaraj that excluded the meanest and humblest Indian from its health-giving balm. For me, religion is one in essence, but it has many branches. If I, of the Hindu branch, fail in my duty to the parent trunk, I am an unworthy follower of that one indivisible religion. According to this reasoning, my sacrifice promotes the deliverance of humanity from 'untouchability' in every shape and form, and therefore it serves all religious groups. Though apparently conceived to apply to a corner of this world, it is really intended to cover the whole world."

UNIQUE RESPONSE TO THE CALL

The response to the call was simply wonderful. The whole country was stirred to its very depth and was up in arms to purge Hinduism of the terrible blot that was eating into the vitals of the Hindu Society and emasculating it by engendering disruptions. Meetings and conferences, too numerous to mention, were organised recording the profound sense of anxiety at the decision of Gandhiji and admiring the spirit to adopt the extreme penance. The country observed spontaneous fasting on September 20, 1932, the day on which the memorable fast commenced. Prayers were offered for success of Gandhiji's cause and the unique demonstrations, on that day and subsequently, only revealed what a wave of universal feeling of grave anxiety and deep agitation swept the country from one end to the other. The portals of famous shrines and well-known temples were flung open to the hitherto despised and neglected members of the Hindu community; in public meetings and private dinners, high-caste and low-caste Hindus freely mingled with one another in a manner worthy of the glorious traditions of this ancient land.

While the depressed classes assembled in meetings in all parts of the country to acclaim Gandhiji as their true and sole representative and declared their complete confidence in him, the caste Hindus, on the other hand, rose to the height of the occasion and expressed determination to concentrate their efforts on removing the disadvantages under which the depressed classes suffered; to lift them economically, socially, religiously and politically; to concede the just demands of the depressed classes; to throw open temples and places of worship; to abolish all existing restrictions against the admission of the members of the depressed classes to public schools and in the matter of use of public wells and roads; and to organise inter-caste reunions with a view to giving an impetus to the movement for removing every kind of social or religious disabilities that any section of the Hindu community might feel.

RESISTANCE AT GURUVAYUR

In fact the fast shook the country from end to end and agelong superstitions seemed to crumble to pieces. In accordance with the resolutions passed in the meetings, the depressed classes were allowed to enter sacred temples and were permitted to use public wells. A campaign of anti-untouchability was carried on vigorously, with brilliant results. A severe resistance to the campaign was, however, met at Guravayur in South India. Here the Zamorin as trustee of the Guruvayur temple refused, in view of the old

traditions, to throw open the House of God to the untouchables. Mr. Kelappan, on behalf on the depressed classes, undertook a fast till the Zamorin revised his views in favour of the depressed classes but on advices from Mahatma Gandhi regarding the advisibility of giving three months' clear notice to the Zamorin he suspended his fast.

PROGRAMME BEFORE CASTE-HINDUS

In a statement issued to the press on September 26, 1932 Mahatmaji while thanking the British Government for hastening the decision on the settlement stated:—

"The settlement is but the beginning of the end. The political part of it is very important, though it no doubt occupies but a small space in the vast field of reform that has to be tackled by caste-Hindus during the coming days, namely, complete removal of the social and religious disabilities under which a large part of Hindu population has been groaning. I should be guilty of a breach of trust if I do not warn fellow-reformers and the caste-Hindus in general that the breaking of the fast carries with it the sure promise of a resumption of it, if this reform is not relentlessly pursued and achieved within a measurable period.

"The message of freedom shall penetrate every Untouchable home and that can only happen if reformers will cover every village. Yet, in the wave of enthusiasm and in an inordinate desire to spare me a repetition of the agony, there should be no coercion. We must, by patient toil, and self-suffering, convert the ignorant and the superstitious, but never seek to compel them by force.

"I wish too that the almost ideal solution that has been arrived at may be followed by other communities, and that we might see the dawn of a new era of mutual trust, mutual give and take, and the recognition of the fundamental unity of all communities. I would here single out the Hindu-Moslem-Sikh question. I am the same to the Mussalman to-day that I was in 1920-22. I should be just as prepared to lay down my life, as I was in Delhi, to achieve organic unity and permanent peace between them. I hope and pray that there will be as a result of this upheaval, a spontaneous move in this direction and, then surely, the other communities can no longer stand out.

"The terms of the decision sent to me I have not approached without misgivings. It accepts, I suppose, very naturally, only that part of the agreement that refers to the British Cabinet's communal decision. I expect that they had a constitutional difficulty in not announcing their acceptance of the whole agreement, but I would like to assure my Harijan friends, as I would like henceforth to name them, that so far as I am concerned, I am wedded to the whole of that agreement, and that they may hold my life as a hostage for its due fulfilment, unless we ourselves arrive at any other and better settlement of our own free will."

After breaking his fast Gandhiji was in consultation for three days with the leaders regarding the ways and means of removing untouchability, but the special privileges granted to Gandhiji in the matter of interviews were withdrawn on September 29, 1932.

INDIAN STATES ENQUIRY COMMITTEE REPORT

RECOMMENDATIONS OF THE COMMITTEE

THE Indian States Enquiry Committee was appointed in December, 1931 by the Prime Minister after the second session of the Round Table Conference. The Committee was to examine the extent to which the existing financial relations of the Indian States with the Government of India and the Crown presented obstacles to the attainment of an ideal system of federal finance. As pointed out in the Prime Minister's letter of instructions to the Chairman, such a system would be one under which all federal units would contribute on a uniform basis to the federal resources. The attainment of such uniformity in the future Indian Federation was hampered by the fact that, on the one hand, numerous States made, or had made in the past, direct contributions of a nature not made by any province of British India; whilst, on the other hand, many of them enjoyed a measure of immunity from the incidence of those very taxes which would be the main sources of federal revenue, or possessed a privileged position in respect of certain important federal subjects such as "Posts and Telegraphs" and "Coinage and Currency."

It was necessary for the Committee to make a detailed scrutiny of the origin and nature of these contributions, immunities and privileges and to ascertain at first hand the views of the States as to the extent to which they might be affected by the setting up of a federal constitution in India. The Committee remained in India from 29th January till 30th April 1932. Their tour among the Indian States extended to considerably over 10,000 miles. The Report of the Committee was published simultaneously in England and India on July 27, 1932. The Report which consists of nine chapters is unanimous and is signed by the Right Hon'ble J. C. C. Davidson, Chairman, Sir Reginald Glancy, Deputy Chairman, Lord Hastings, Lord Hutchinson of Montrose, Sir Maurice Gwyer, Sir Charles Stuart-Williams and Mr. J. R. Martin. A summary of the report follows:—

TASK BEFORE THE COMMITTEE

Chapter I of the Report is devoted to a narration of the Composition of the Committee. It is stated that personal discussions were held with 88 Rulers or their Ministers as well as with several deputations representing whole classes of smaller States.

HISTORICAL SURVEY

Chapter II of the Report gives a historical survey of the circumstances in which the Indian States come into relation with the British Government and gives a brief account of the origin of the contributions and immunities which are reviewed in detail in subsequent chapters. It is of the greatest importance that the conditions existing when the treaties were made should be appreciated—anarchy, lawlessness and ruthless oppression were the order of the day and the rescue and preservation of many States by the British Power was achieved by military operations and the treaties of peace that followed them. It is interesting to observe how, as the result of economic developments subsequent to the transfer of the responsibilities of the East

Indian Company to the Crown, the States had already become closely identified with numerous branches of all-India activity even before the emergence of the federal ideal. To a great extent indeed Railways, Currency and Coinage, Posts and Telegraphs, and Salt are already "federal subjects." The all-India services of public utility function of the States as well as in British India, and taxation through sea customs and the salt tax is largely of all-India incidence. But the States still lack the means of influencing policy in these matters, and the measure of autonomy already vouchsafed to British India has made it difficult for the Crown to safeguard their interests in the economic sphere. Hence the Committee regard it as inevitable that, in the process of transferring further responsibility in such matters to Indian hands, provision should be made for the due participation of the States.

CONTRIBUTIONS AND IMMUNITIES

Chapters III to VIII of the Report contain detailed surveys (supplemented by Appendices) of the contributions and immunities referred to above. Two categories of contributions—cash contributions generally known as tributes) and ceded territories—and two of immunities (salt and sea customs) are of such intricacy and importance as to necessitate self-contained Chapters. The other contributions and immunities are classified as 'miscellaneous' and reviewed in Chapters V and VIII.

The Committee has from an early stage of its investigations foreseen that it would eventually be necessary to frame separate terms for each individual State on its entry into Federation. It has endeavoured, therefore, throughout its survey of the special contributions and privileges, to formulate principles in accordance with which definite 'cash credits' or 'immunity debits' could be raised in favour of, or against, each State concerned. In the great majority of cases it has been possible to specify in the Report or one of its Appendices the exact amount of these credits and debits, but in others this will have to be done subsequently by application of the principles formulated.

CASH CONTRIBUTIONS

The cash contributions, of which no less than 725 have been catalogued and classified in Appendices to the Report, are dealt with in Chapter III. They have been divided into two main categories and seven classes. The Federal Finance Sub-Committee of the Federal Structure Committee of the Round Table Conference recommended that, in so far as these payments are of a feudal nature, they should be wiped oue *pari passu* with the direct contributions required from British Indian provinces, and, further, that there should be immediate remission in respect of any part of such contributions which may be in excess of 5 per cent of the total revenues of the State concerned. The present Report, however, does not accept the view that the States' contributions in general are of a federal nature, and would justify uniformity of contribution to federal resources. After scrutinising the remission not so much on feudal analogies as on the general principle of origin and purpose of all the seven classes of contribution, the Committee recommends that all except two should rank for remission. The two exceptions are (1) contributions for special or local purposes, and (2) 'assigned' tributes—i.e., tributes originally payable by one State to another but assigned by the creditor State to the British Government. In respect of the former the Committee finds that these payments require further examination but, with one exception, in which continued payment is found to be justified, they have been provisionally classed for remission. In respect of the latter the Committee's recommendation is that they should eventually revert to

the States which assigned them. In this connection the Committee expresses the hope that all payments of tributes by one State to another will eventually disappear as being inconsistent with the idea of a federation of equal units.

The Committee endorses the recommendation of the Federal Finance Sub-Committee in regard to immediate relief for States which pay contributions of this kind in excess of 5 per cent. of their total revenues. The amount thus recommended for immediate remission is estimated at Rs. 11 lakhs per annum (about £ 82,500).

As regards the period within which effect should be given to the general principle of remission, the Committee recommends that this should be done *pari passu* with the remission of direct contributions from the provinces of British India but that, in any case, a moiety should be extinguished at latest within ten years from entry into federation and the whole within twenty years.

The revenue thus to be surrendered (exclusive of the Rs. 11 lakhs referred to above) is estimated at about Rs. 59 lakhs, or £ 442,500.

The Committee observes that these contributions are, by reason of their origin and nature, payable to the Paramount Power and would not pass, as a matter of course, to the Federal Government. But it anticipates that the Paramount Power would, in fact, place them, so long as they continue to be paid, at the disposal of that Government and that the States could raise no valid objection to such a course.

CEDED TERRITORIES

The Committee's admission (Chapter IV) of claims by States which have ceded territory in the past had under its terms of reference, to be restricted to cessions made "in return for specific military guarantees." Cessions of this kind were made to provide the East India Company with funds for the maintenance of a special force to protect an allied Ruler, and are few in number, being in fact found only in the case of the States of Hyderabad, Baroda, Gwalior and Indore. (The case of Sangli is somewhat different but the cession made by that State has also been found by the Commietee to be within its terms of reference). But, where such cessions are found, they must, in the Committee's opinion, be regarded as entitling the State concerned to a definite cash credit, since they are analogous to a large class of tributes and, as often as not, it was entirely a matter of chance whether a State admitted to the Company's protection paid tribute or ceded territory instead. The identification of the areas concerned has been a task of great complexity, for the completion of which the Committee is greatly indebted to a special Committee previously set up by the Government of India. The cash credits recommended in respect of these areas in the present Report amount to about Rs. 37 lakhs, or £ 277,500, being Rs. 22.98 lakhs for Baroda, Rs. 11.72 lakhs for Gwalior, Rs. 1.11 lakhs for Indore and Rs. 1·10 lakhs for Sangli. These figures have been arrived at on the basis, with certain modifications, of the net annual value of the territories concerned at the time of their cession. In the case of Hyderabad no such credit is recommended because that State prefers the continuance of the special military arrangements which the cession was designed to secure.

It is recommended that practical effect should be given to credits raised on account of ceded territories *pari passu* with the reduction of direct contributions by provinces to Federal revenues.

MISCELLANEOUS CLAIMS BY STATES

In Chapter V the Committee reviews numerous miscellaneous claims by States but finds it unnecessary to raise any cash credits in respect of them. It fully recognises the fine record of some of the Forces which many States

maintain and their value for internal security purposes as well as for co-operation with His Majesty's Forces in times of emergency. But it cannot ignore the very cogent grounds on which the Federal Finance Sub-Committee recommended to the Round Table Conference that any question of giving a financial credit for these Forces should be deferred until after Federation has been achieved. The other claims which had to be considered in this Chapter arise mainly out of cessions of jurisdiction by States over lands required by the Government of India for railway, military or other purposes. The Committee's recommendations in this sphere are designed to remove or alleviate, by administrative measures the grievances which are at present entertained. It is suggested that steps should be taken to give full effect to the principle that cessions made to the Central Government for administrative reasons should not be exploited by it for fiscal purposes and that, so far as may be consistent with the financial requirements of the areas concerned for their own municipal purposes, they should not be immune from the taxation of the State within which they are situated. In particular it is recommended that there should be no bar to the levy of income-tax by States on the incomes of railway employees residing in State territory or on the profits of railways (other than Federal railways) earned within such territory.

The Committee would also like to see effect given to the general principle, that in respect of all provincial excises (i.e., excises on liquor, opium and intoxicating drugs), the proceeds of the whole of such taxation should accrue to the administrative unit within whose territories the taxed articles are consumed.

STATES AND SALT REVENUE

Chapter VI deals with salt and begins by giving an account of the magnitude and sources of India's salt supply, the system of its taxation and the financial importance of this feature of the Indian fiscal system,—it having been estimated that the Federal Government would draw considerably over 4 million pounds a year, or about 6¼ per cent. of its total revenues, from this source. An account is then given of the Agreements with States by which the Government of India succeeded, about 60 years ago, in establishing a practical monopoly of salt production throughout the Indian Continent, except in Kathiawar and Cutch, where production was restricted so as to serve only local requirements. No immediate revision of existing salt agreements is recommended except in the case of Kathiawar and Cutch, though the revision of other agreements will be for consideration in due course by the Federal Government and may be thought desirable in order to diminish the importation of foreign salt (which still amounts to 450,000 tons per annum) and to reduce liabilities in respect of compensations now paid to certain States for the closure of their salt sources. As regards Kathiawar and Cutch, the Committee recommends the removal of all existing restrictions on the manufacture and marketing of salt, subject to the condition that the States concerned should permit collection of the federal salt duty at the source of manufacture, together with such administrative measures as are necessary to safeguard the interests of the federal revenues.

The extent to which certain States, or their inhabitants, are under existing arrangements, exempt from contributing to central revenues through the incidence of the salt tax is calculated at Rs. 46,06,057 or about £ 345,000. The total of these immunities would be reduced by about £ 60,000 if the salt tax were extended to Kathiawar and Cutch in the manner proposed above.

SEA CUSTOMS

Chapter VII deals with sea customs and ports and, by reason of the importance and intricacy of the subject, is by far the longest Chapter in the

Report. After setting out some of the difficulties in the way of bringing the policy and practice of the States with regard to their ports into harmony with the requirements of Federation, it gives a general account of all the ports belonging to the maritime States. The situation of these ports, with reference to India's railway system, is clearly shown in a map which will be found at the end of the Report. The history of past agreements and recent controversies is narrated at considerable length, with special reference to the rights of the States of Travancore and Cochin in the port of Cochin, and to the customs barrier imposed by the Government of India at Viramgam against the maritime States of Kathiawar.

The relative value of the sea-borne trade and customs receipts of British India and the States respectively is shown by the following figures, which relate to the year 1930-31. The total value of the sea-borne trade for all India in that year was 361,82 lakhs of rupees of which 15,50 lakhs or 4.28 per cent., relates to trade passing through the ports of the States. The customs collections at the States' ports in the same year amounted to Rs. 280.78 lakhs, of which Rs. 122.65 lakhs was recovered for British India at the Viramgam line, leaving Rs. 158.13 lakhs in possession of the States. Thus the amount retained by the States was about 4 per cent. of the whole. This amount does not, however, represent the total extent of the States' immunities in respect of sea customs as there are certain cases, notably that of Kashmir, in which a State receives cash payment on account of special customs rights. The total immunity of the States in respect of sea customs is estimated to have been Rs. 182.42 lakhs, or about £ 1,368,000, in 1930-31.

The Committee feel that, in view of numerous factors subject to variations in respect of which prophecy is impossible, it cannot safely or usefully make any estimate of the amount of compensation which it would be worth while for the Federal Government to offer to the States in return for the relinquishment of their customs rights. But, in spite of the speculative risks involved, it feels that such an offer ought to be made in respect of the rights of Travancore and Cochin States in the port of Cochin which, being the only port (excluding Portuguese Goa) between Bombay and Colombo which offers safe anchorage and real harbour facilities to large ships at all seasons of the year, is of great present value, and must in the future be of even greater value to an Indian Federation, in whose undivided possession, unhampered by any obligations to third parties, it clearly ought to be.

In this case alone, therefore, it is recommended that negotiations should be at once begun for buying out the rights of States. As regards ports wholly owned by maritime States no such course is advised but, bearing in mind, on the one hand the inconsistency with the ideal of a true Federation of the retention by any federal unit of customs duties collected at its ports, and on the other the unwillingness of the States to part with their sovereign rights in this respect, the Committee recommends for consideration a compromise under which maritime States would be enabled to retain the duties on goods imported through their own ports for consumption by their own subjects. It is recognised, however, that no such arrangement could be made, except with the consent of the States concerned, when its effect would be to curtail Treaty rights. If effect were given to it by the erection of a customs barrier against the State concerned, there would be no question of any control or inspection by federal authority of the customs administration at the ports; but in the event of adoption of some system of financial adjustment whereby the States would retain, or have refunded to it the amount which it was entitled to receive, some measure of federal supervision or inspection would clearly be necessary.

MISCELLANEOUS IMMUNITIES

In Chapter VIII the Committee reviews, under the heading of "Miscellaneous Immunities," the privileges enjoyed by certain States, or their Rulers in respect of posts and telegraphs, coinage and currency, customs and transit duties, and courtesy concessions in regard to sea customs.

POSTS AND TELEGRAPHS

As regards Posts and Telegraphs, the Committee finds that the maintenance by States of their own postal departments does not constitute an immunity to which a financial value could be attached. Nor is it in a position to recommend any action, other than that already taken or contemplated by the Government of India, in respect of certain grievances which the States have brought to its notice. On the other hand, it finds that certain States are in possession of immunities in the form of free grants of stamps for official correspondence or free carriage of such correspondence by the Indian Postal Departments and it recommends that debits be raised against such States, amounting in all to Rs. 10,27,025, or about £ 77,000.

CURRENCY ISSUE

After full consideration of the potentialities of currency issue as a source of profit, the Committee is not prepared to recommend that rights to issue metallic currency should be classified as immunities. Only about 20 States exercise such a right and in many of them it is limited to the minting of coins of very low value or of coins used for ceremonial rather than currency purposes. But in the case of Hyderabad, which, in addition to an extensive metallic coinage has a currency note issue of 9 crores of rupees, it is considered that its rights involve definite competition with the central or federal currency and justify the raising of an immunity debit of Rs. 17 lakhs.

It is also recommended that, in the case of all other States possessing currency rights, efforts should be made to arrange by negotiation that minting operations should be confined within purely nominal limits or to the production of coins intended for ceremonial purposes.

CUSTOMS AND TRANSIT DUTIES

As regards land customs duties which are levied by the Indian States and in many instances represent a substantial proportion of their revenues, the Committee endorses the conclusion reached at the Round Table Conference that it is impossible to effect their abolition in the near future. In these circumstances, and having regard to the grievances arising out of existing anomalies, the Committee is inclined to favour the removal of restrictions on the levy of such duties in the relatively few cases where such restrictions are in force. But it is conscious of the retrograde and anti-federal nature of such a step and hopes that it will only be taken in cases where there is no room for doubt that it would be justified by local conditions and would not involve risk of serious repercussions on trade outside the territory of the State concerned.

In regard to restrictions on the levy of transit duties and on the taxation of salt, the Committee recommends no abrogation of existing arrangements.It considers however that all compensatory payments now made to States in respect of such arrangements should be treated as immunities.

COURTESY CONCESSIONS

The courtesy customs concessions now enjoyed by Indian Princes are of two kinds. There is a major concession, enjoyed by 11 Rulers only, under which they import free of customs duty all goods intended for their personal

use. The minor concession enjoyed by 76 other Rulers enables them to pass their personal effects through the customs free of duty when returning to India from abroad.

The Committee recommends the continuance, under Federation, of both concessions on the existing scale, but only subject to the condition that the major one should now be extended to the Viceroy. It also advocates the extension of the minor concession to all Governors of Provinces.

QUESTIONS OF FEDERATION

In the "Concluding Chapter" of its Report the Committee lays great stress on the fact that all its recommendations are conditioned by the assumption that the States will federate and apply only to matters which fall within the proposed field of federal subjects. It recognizes also that, although Federation is clearly a necessary stage in the political evolution of India, it cannot be achieved by compulsion. The assumption that no State can be compelled to enter Federation against its will was indeed the basis of all the discussions throughout the Round Table Conference. Having regard to this basic fact and to the unique character of the contemplated federation between elements which are not politically homogeneous and which vary infinitely in area, population and wealth, the task of the Committee has been to suggest terms which, in its opinion, could be fairly and reasonably accepted by both the States and British India as the basis of a mutual and voluntary association. But so far as the States are concerned such association must be achieved with each of them individually, for it is only in a very general sense that it is possible to speak of the common interests of the States as contrasted with the interests of British India. The recommendations of the Committee are thus intended to provide the material for the making of individual settlements with each State on its entry into Federation on the basis of a balance sheet which takes account of individual 'credits' and 'debits.' It is thus impossible to set off the debits of one State against the credits of another.

SETTING OFF DEBITS AGAINST CREDITS

On the other hand it is natural that a State's credits should be set off against its own debits and the Committee recommends that this should be done. It would indeed be entirely unjustifiable that a State which enters Federation should continue in the enjoyment of privileges or immunities which are definitely inconsistent with the federal ideal and at the same time claim remission of tribute or other contributions on the ground that these are of a feudal character or are unknown in other federations. It is recommended therefore that whenever it is proposed to remit a contribution of this kind, any immunity debit raised against the State concerned should be set off against the proposed credit and no remission or payment be made unless the credit exceeds the debit, and then only to the extent of the balance.

CASH CONTRIBUTIONS

In only one case does the Committee recommend an exception to this rule, namely that of cash contributions in excess of 5 per cent. of the revenues of a State. The remissions recommended in such cases are intended to be immediate, that is to say, prior to, and irrespective of, Federation, so that no question of 'credits' and 'debits' arises in regard to them.

Great difficulty is, however, presented by the fact that in the case of some States credits are non-existent or comparatively small, whereas the debits are extensive. In some of these cases acceptance of the recommendations of the Committee would considerably reduce the debits, but it has to

be recognised that this cannot in all cases be achieved by compulsion. The immunities in question are in the great majority of cases secured to the State by Treaty or agreement and the Committee is not prepared to recommend that a State should be confronted with the necessity of choosing between exclusion from Federation and a wholesale surrender of existing rights, involving perhaps the loss of a large part of its revenue. The anomalies of the present situation have their roots in the past and it is clear that rigid insistence upon uniformity will not only fail to advance the cause of Federation but might gravely prejudice it.

REMISSION OF TRIBUTES

The Committee cannot, therefore, deny that its recommendations provide only a partial remedy for the existing want of uniformity of contribution to central revenues and contemplate, to the extent that tributes may be remitted and payments made on account of ceded territories, a new burden upon them. But in no circumstances would this burden exceed 1 crore of rupees, or £ 750,000 per annum, and there is every prospect of its remaining considerably below this amount by reason of the proposed setting off of immunity debits against the credits raised. The Committee has also made certain recommendations and suggestions with respect to immunities which, if accepted, would result in a substantial addition to federal revenues. It considers it also justifiable to observe that certain provinces as well as certain States will to some extent be a burden on federal revenues and that those provinces will stand in very much the same relation to the Federal Government as those States which enjoy immunities and make no corresponding contributions in return.

In conclusion the Committee points out that by the very fact of their entry into Federation, the States would be making a contribtuion which is not to be weighed in golden scales. It is by no means indifferent to the importance of financial considerations, especially in these difficult times, but it has endeavoured to preserve a sense of proportion and to view all the elements of the problem in due relation to one another. It is on these grounds that it justifies the recommendations in its Report, which represents an honest endeavour to do justice between all the parties concerned and to establish a fair and equitable basis which could be accepted by them all without prejudicing either their interests or their self-respect.

OPINIONS ON THE REPORT

His Highness the Jam Sahib of Nawanagar, Chancellor of the Chamber of Princes, considered the report an honest attempt to make financial adjustments between the States and the Crown such as would induce them to enter an All-India Federation but he opined that the report gave an imperfect interpretation of the States' just claims to relief from the burdens, both direct and indirect. In particular, His Highness pointed out that certain of the statements made in the introductory chapter on page 14 regarding the voluntary concessions of States in the matter of railway lands, coinage rights, etc., were not in accordance with the impressions which the States retained upon these transactions and which as the States held, were forced upon them by the superior power of the Government of India. Indeed, the Report did not deal satisfactorily with some small matters wherein even the Butler Commission had found in favour of the States. The Report proposed the immediate correction of some anomalies and provided for the gradual extinction of the credits claimed by the Crown but he would contest the impression in some quarters that the States, as a general body, were to gain when the financial balance was struck, On the contrary,

besides the additional direct contributions to the Central Revenues which were contemplated, no compensation was suggested commensurate with what the States had already contributed indirectly or for the surrender of the privileges entailed in any agreement to federate. The Report could hardly give rise in India to the confidence requisite for the State's voluntary assimilation in an All-India Federation. The proposed financial adjustments on the system of debits and credits, if continued, instead of checking the drain on the economic resources of States, would weaken them, when it was especially necessary that they should be strengthened to safeguard their autonomous rights within the Federation and to create the needful equilibrium in the political sphere after the transfer of responsibility to the Centre.

The Hon'ble Mr. Hussain Imam, in a statement to the Associated Press, said: "The basic principle in democracy, that the power to impose taxation vests only in the representatives of the tax-payers, has been set at naught by giving representation in the Federal Legislature to the States that pay not an iota to the Federal finance.

"The Davidson Committee has completely forgotten the fact that the British Indian tax-payers are also a party to the tri-partite agreement between the States and their liege-lord the Britishers. The much-lauded suzerainty and paramountcy of the British Crown over the States has been acquired by the Indian Army and by the money paid by Indian tax-payer. As a logical conclusion, the right to revise or reconsider the present treaties vests in the British-Indian people.

"The Davidson Committee has further blundered in treating all the States alike because of the theory that a Federation must be between units of equal status. The fundamental principle that the defence expenditure is not only in the interest of British India, but of the whole of geographical India has not been fully considered. British Indian opinion of all shades are unanimous in insisting upon an equitable division of the Defence expenditure between British India and the States, whether they come into the Federation or not. In short, the Davidson Committee, instead of clarifying the situation and bringing about the Federation nearer, has widened the gulf between the States and British India."

The Mysore Chamber of Commerce, Bangalore pointed out that the recommendations of the Davidson Committee acted prejudically to the interests of Mysore and referred to the adverse decisions on the specific point of subsidy. The Chamber stated that the annual subsidy of Rs. 24 lakhs had operated as a crushing burden on the finances of the State even in ordinary times and more so, in critical times like the present. During the past two years the Mysore Government effected drastic economies to the extent of Rs. 50 lakhs in their expenditure to balance the budget; still, there remained a big deficit to be covered. The abolition of the subsidy would therefore secure a most opportune and welcome relief to the State and there could be no doubt that this substantial relief would ensure the benefit of its people in many ways, notably, in the inauguration of a more liberal policy of industrialisation of Mysore.

The **Financial News** observed: "What emerges clearly from the whole report is the difficulty that will be felt in many directions in reconciling the quasi-sovereign independence of the States with a really satisfactory system of federal finance."

INDIAN FRANCHISE COMMITTEE REPORT

OPINIONS ON THE REPORT

OPINIONS on the Report of the Indian Franchise Committee continued to pour in during the quarter under review. The most important of them follow:—

INDIAN ASSOCIATION

The Indian Association in a memorandum issued to the press approved of the proposed enfranchisement of 16 per cent. of the population of Bengal and urged on the Government of Bengal the necessity of working out the property qualification which together with the other qualifications would secure this result.

Women's Representation—The Association was of opinion that, having regard to the progress of women's education in Bengal, the seats to be reserved for women in the Bengal Legislative Council should be the maximum proposed by the Franchise Committee, viz., 5 per cent.

Depressed Classes—It was the Association's deliberate opinion that no franchise arrangements should be made which would counter the healthy tendency in certain of the so-called Depressed Classes to achieve educational and economic progress so as to be able to incorporate themselves into the higher castes. This consideration made the Association to oppose the proposed institution of a differential franchise for the Depressed Classes so as to bring 10 per cent. of their number on the electoral roll. Whatever might be the situation in Bombay, Madras and the Central Provinces, the Association was convinced that no case had been made out for creating a special franchise for the Depressed Classes in Bengal.

Electoral Strength and Population Ratio—The Association strongly opposed the proposal in paragraph 79 of the Report that, in the event of any possible deviation in the electoral strength of any community from its population ratio through the adoption of its recommendations, steps should be taken to correct the discrepancy by means of a differential franchise. In its opinion the franchise qualifications should be uniform in a given area.

Labour—The Association approved generally of the proposals in regard to the representation of Labour, but it insisted that Labour voters should have no votes in general constituencies.

European Representation—The Association strongly disapproved of as many as eleven seats for European commerce in the Bengal Legislative Council. The Association pointed out that the European community of Bengal, which was predominantly mercantile, would have representation through the general constituencies as well, thus leading practically to double representation. If the European community should insist on having both general and special representation, it was only fair that the proportions in both categories should be suitably curtailed.

Second Chamber for Bengal—The Association would support a Second Chamber for Bengal on the explicit understanding that it had general revisory powers only. The Association strongly opposed the idea of giving the Second Chamber equal powers with the Lower House.

Urban and Rural Representation—The Indian Association strongly disapproved of the persistent and deliberate endeavour in the Indian Franchise Report to upset the existing principle under which urban areas have greater representation than the rural ones. The Association drew attention to the fact that for many years to come, the towns would continue to be greater

centres of culture and public opinion than any rural areas can possibly be, and that even in present-day England, London and the larger provincial towns enjoy greater representation in Parliament than the rural areas.

The Indian Association, having been consistently in favour of joint electorates is in favour of multi-member constituencies also.

BENGAL MUSLIM CONFERENCE

The Bengal Muslim Conference held in Calcutta on July 10, 1932 resolved that the election to the legislature be continued to be held on the basis of separate electorates and election in the local bodies be likewise held on that basis. The Conference also protested by another resolution against the granting of votes to women by virtue of their husbands' rights and against the creation of so many special constituencies by the Lothian Committee, and resolved that these special constituencies should be counted within the communal quota.

In his presidential speech Mr. A. H. Ghuznavi, M. L. A. was of the opinion that if as a matter of political expediency, Special interests constituencies were retained the total number of special interests seats allotted to a particular community should come out of the communal quota of the seats assigned to that particular community. It was only in this way and this way alone that the communal balance would be preserved.

Referring to the problem of representation of Labour and Women recommended by the Franchise Committee Mr. Ghuznavi said that the Muslims would only agree to the allocation of a number of seats to Muslim Labour if the Labour constituency was composed purely of Muslim electors. Muslims would prefer all the 8 seats assigned to Labour to go to the Hindus provided that all the eight seats go out of the Hindu quota rather than have four Muslim seats in the Special Labour Constituency filled through joint electorates. Proceeding, Mr. Ghuznavi said that Muslim opinion was strongly opposed to the creation of Special Constituencies for women.

ALL-INDIA WOMEN'S CONFERENCE

The half yearly meeting of the Standing Committee of the All-India Women's Conference, held at Nagpur on the 16th and 17th July, placed on record an emphatic protest at findings and proposals of the Lothian Com mission which, if accepted in principle, would effectively prevent a united India from coming into being. The Committee complained that the reasons advanced for the wholly inadequate electorate that had been proposed for the Assembly were supremely unconvincing.

As regards the recommendations of the Committee specifically relating to the women it was the opinion of the meeting that all such are contrary both in spirit of letter to the considered decisions of the organised and representative women's associations in the country and, as such, wholly unacceptable to the women.

It was feared that one baneful result of reservation of seats and special representation would be to introduce the poison of communalism in their sphere. A further and more glaring example of the injustice with which the cause of women had been treated was the iniquitous proposal of reserved seats and indirect election thereto in the popular House of the Federal Legislature.

VIEWS OF TRADE UNIONS

Opinions of the All-India Trade Union Congress and Indian Trades Union Federation will be found under the section of "Labour Movement."

PRINCES AND FEDERATION

AFTER the announcement had been made by Sir Samuel Hoare on June 27, 1932 regarding the procedure to be followed in connection with the constitutional reforms, the Viceroy was in communication with the Princes. The object was to secure consent of the Princes with a view to fulfil the condition laid down in the Secretary of State's statement that the essential part of an All-India Bill was that it should be preceded by assurances sufficiently strong and reasonable to ensure the success of federation. In the beginning of July the Maharao of Cutch, the Pro-Chancellor of the Chamber of Princes, along with some other princes met the Viceroy to discuss matters with him which were outside the scope of British India as such but which had an important bearing on the Federal issue all the same.

PRINCES' CONFERENCE

A formal conference of the ruling princes was convened by His Excellency the Viceroy to discuss the questions of Federation and Paramountcy. The Conference with His Excellency in the chair began in Simla on September 20. The following were the subjects for discussion at the meeting:—

(1) The effect of Federation on the relations between the Paramount Power and the States.

(2) The relations outside the Federal field between the Paramount Power and the States after Federation takes place.

(3) Financial aspects of the Federation.

(4) Allocation of seats in the Federal Legislature.

AGREEMENTS REACHED AT THE CONFERENCE

The Conference concluded its deliberations on September 23. Secrecy was sought to be kept over the deliberations. It was, however, understood that on questions of paramountcy and settlement of disputes between the Crown and States and as between Units of Federation and non-Federating units, compromise took the form of reference to a tribunal more or less on the same lines as the tribunal recently appointed over capitation charges, that is, the recommendations of the tribunal would be advisory.

As for the exercise of the powers of Paramountcy in cases of misgovernment, the discretion of the Viceroy was reaffirmed, but certain safeguards were inserted providing for optional consultation with other Princes.

As regards cases of disputed succession, these will be decided according to law, custom and usage by the Viceroy.

No special safeguards were deemed necessary in cases of minority administration.

As the views of His Majesty's Government upon the Percy and Davidson Committee reports were not yet known, it appeared to the Conference that there was little advantage in pursuing the discussion on the third item while it was realised that in the absence of an authoritative decision by His Majesty's Government as to the size of the Federal Legislature and the proportion of seats to be allocated to the Indian States, no conclusive discussion on the fourth item was practicable. It was agreed that the final

discussion on these items must be best served for the proposed Conference in London.

TREATY RIGHTS

According to the special correspondent of "The Times of India" the Princes urged that while the Crown, acting through the Viceroy, should have the power of intervention in regard to questions relating to dynastic succession, ceremonials, and gross misrule, this right of intervention should not have any wide application over other fields. They contended that if any Treaty Right was challenged, it should go for adjudication before the Federal Court or Tribunal rather than be referred to an authority over whom the Federal Government of India would have no direct control. The Viceroy gave a sympathetic hearing to the point of view urged by the Princes, though the last word on the subject rested with Whitehall.

ALLOCATION OF SEATS

Sharp differences of opinion arose between the representatives of the big Indian States and those representing the smaller ones on the allocation of seats in the Federal Legislature. The basis of the discussion at the conference was that in accordance with the compromise accepted by the representatives of the States at the Federal Structure Committee of the R. T. C., there should be an Upper House of not more than 200 members and that of these the States should get a minimum of 80 seats. It was unanimously agreed at the conference that individual representation for all the States was neither possible nor feasible. The Conference, therefore, agreed that a system of grouping was a necessity.

It was unanimously agreed that none of the States whose representatives were present at the discussion could agree to equality of representation of the States *inter se* and that differences in population, in size, in revenue and in "Federal content" must be given consideration. On this basis certain definite suggestions were considered, it being agreed that taking the population strength into account, the States, with 21, 19 and 17 guns were entitled to 54 out of the 80 seats. Another plan involved the sacrifice of six or seven seats on the part of the bigger states for the benefit of the pool so that instead of 26 seats to which they would have been entitled, the smaller States stood a chance of securing jointly 32 or 34 seats.

REPRESENTATION OF STATES AT R. T. C.

The Standing Committee of the Princes' Chamber decided that the States should be represented at the November R. T. C. only by expert Ministers, though it was emphasised that the Chancellor and at least two ex-Chancellors of the Chamber would be in London at the time, and be available for consultation by the Delegation of Ministers.

CIVIL DISOBEDIENCE MOVEMENT

IN course of an address on the political situation in the country on September 2, 1932 in Calcutta, Pandit Madan Mohan Malaviya said that despite the promulgation of the Ordinances since January last, Congress was still carrying on its many-sided activities. He said, "If the demonstrations have ceased, it is because there is not so much lathi charge as it was before; if there are no arrests, it is because the authorities have resolved not to arrest the people. The Congress at this moment is still functioning, and there is no possibility of the Congress ceasing from functioning."

The fact that the activities of the Congress continue in face of the stringent measures to suppress the movement has also been admitted by the highest Government officials. When the time came for the reconsideration of the promulgation of the Ordinances, then due to expire on July 3, 1932, Sir Samuel Hoare, the Secretary of State for India, opined that the gravity of the situation was still causing anxiety and would not permit them to withdraw the Ordinances. Again H. E. the Viceroy, in opening the September session of the Legislative Assembly, upheld the need of continuing the Ordinances and suggested the necessity of incorporating the provisions of the Ordinances in the ordinary law of the land to combat the movement.

CONGRESS PROGRAMME

From the reports of civil disobedience movement in the papers it appeared that the programme followed by the Congress, during the quarter under review, included the holding of political conferences, raiding Congress offices taken possession of by the police, picketting British goods, distributing unauthorised news sheets, hoisting national flags, leading processions in contravention of police orders, withholding taxes and land revenue, etc. The programme was, in short, much the same as in the previous quarter.

ALL-INDIA PRISONERS' DAY

The All-India Prisoners' Day was celebrated with demonstrations all over India on July 4, 1932. The processionists were as usual taken into custody and the public meetings dispersed. An untoward event, however, happened at the village of Purba Masuria in the district of Midnapur, where the police were forced to open fire. The public meeting held in the village was declared by the police officer in charge as unlawful but the conveners of the meeting showing no signs of dissolving the meeting, the police resorted to firing. The casualties included two killed and eight injured.

PROVINCIAL CONFERENCES

Political conferences continued to take place in support of the civil disobedience movement in all parts of India and reaffirmed the resolutions passed by the Delhi session of the Indian National Congress. The procedure in connection with these meetings was a close replica of the Delhi sessions. Reports of conferences came from various districts in Bengal, United Provinces, Punjab, Madras and Bombay. The most important of these was the Maharasthra Conference in connection with which 121 persons were arrested.

NO-TAX CAMPAIGN

Though the situation in the United Provinces regarding the non-payment of taxes was quiet to some extent, the United Provinces Government could not dispense with special powers in about half the districts of the provinces. According to a Government communique dated July 19, there had been, since the resumption of the no-rent campaign, seven serious clashes between the police and the Congress. The latest clash which occurred in the village of Umramau in Bareilly on July 5 resulted in firing in course of which several were wounded. It was reported by the *Leader's* Rai Bareilly correspondent that the Naib Tehsildar with certain officers went to make attachment for the collection of arrears of rent.

The no-rent campaign in Bengal was carried on in several places of Bengal, specially in Tamluk and Mahisbathan. Cases were reported in which the people left their homes leaving their standing crops and took shelter in the Sundurbans to avoid payment of taxes. On July 12 as result of a clash in the village of Danton, arising out of the officers attaching a number of cattle for arrears of chowkidari tax, fire was opened. One was hit near the wrist.

ARREST OF CONGRESS PRESIDENT

Dr. Kitchlew, Acting President of the Congress, was arrested on August 23, 1932 for defying an order requiring him not to enter the Lahore division. He was succeeded by Mr. C. Rajagopalachariar, the veteran congress leader in the Madras Presidency.

CONVICTIONS

The total number of convictions in connection with the civil disobedience movement during the last few months is given in the following table:

January	14,803	May	3,818
February ...	17,818	June	3,531
March	8,909	July	3,595
April	5,234	August	3 046

The following statement of provincial convictions under ordinary law and ordinances up to the end of July and during the month of August was put in the Legislative Assembly:—

	Convictions up to the end of July			Convictions in August			Convictions up to the end of August		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
Madras	2,356	235	2,591	142	7	149	2,498	242	2,740
Bombay	9,776	633	10,409	556	23	579	10,332	656	10,988
Bengal	9,594	617	10,211	330	12	342	9,924	629	10,553
U. P.	10,382	407	10,789	623	17	640	11,005	424	11,429
Punjab	1,403	112	1,515*	35	—	35	1,438	112	1,550
Burma	—	—	—	—	—	—	—	—	—
B. & O.	8,644	267	8,911	951	9	960	9,595	276	9,871
C. P.	3,372	296	3,668	104	—	104	3,476	296	3,772
Assam	1,053	85	1,138	29	2	31	1,082	87	1,169
N. W. F. P.	5,157	1	5,158	133	—	133	5,290	1	5,291
Delhi	841	49	899*	55	2	57	896	51	947
Coorg	201	3	204	—	—	—	201	3	204
Ajmer-Merwara	238	6	244	15	1	16	253	7	260
Total	53,017	2,711	55,728	2,973	73	3,046	55,990	2,784	58,774

* The figures have been altered by the local Government in its last return.

Juveniles under 16 years of age sentenced to imprisonment substantively or in lieu of payment of fine from the beginning of January up to July 31, 1932 were 2293.

The district figures of convictions and fines realised in connection with the civil disobedience movement in Bengal will be found on pages 507 and 508.

NUMBER OF PERSONS UNDERGOING IMPRISONMENT

Total number of convicted persons (under ordinary law and Ordinances) undergoing imprisonment at the end of July and August follows:—

Province.	Number at the end of July			Number at the end of August 1932.			Number released on apology up to the end of August 1932		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
Madras	1,611	163	1,774	1,514	149	1,663	51	—	51
Bombay	6,131	316	6,447	5,347	262	5,609	65	6	71
Bengal	3,490	203	3,693	2,523	171	2,694	676	13	689
U. P.	4,812	141	4,953	4,134	103	4,237	2,790	66	2,856
Punjab	855	40	895	718	29	747	1	—	1
Burma	—	—	—	—	—	—	—	—	—
B. & O.	2,484	58	2,542	2,457	70	2,527	218	3	221
C. P.	1,130	36	1,166	847	11	858	52	5	57
Assam	684	38	722	610	26	636	195	11	206
N. W. F. P.	1,987	1	1,988	1,921	1	1,922	2,647	—	2,647
Delhi	364	20	384	365	18	383	43	2	45
Coorg	67	—	67	54	—	54	15	—	15
Ajmer-Merwara	97	4	101	89	3	92	14	—	14
Total	23,712	1,020	24,732	20,579	843	21,422	6,767	106	6,873

FIRINGS IN INDIA

Mr. H. G. Haig, the Home Member, submitted before the Indian Legislative Assembly a statement showing the occasions on which unlawful assemblies were dispersed, after the present Civil Disobedience movement was started, in which firing and casualties were involved.

Firing was resorted to in Bengal for the largest number of occasions, that is seventeen, as against once in Madras, seven times in the United Provinces, three times in Bihar and Orissa and once in the N. W. Frontier Province· Casualties in Bombay were the heaviest, being thirtyfour killed and ninetyone injured.

The following were the places and dates in each province where such incidents took place.

Madras (Berhampur) on January 15: One killed and two wounded.

Bengal—In addition to the list already published under Bengal Legislative Council on page 509, there was one firing at (Omarbad Shasania, P.S. Homna, District Tipperah) on July 13: One wounded.

United Provinces (Benares City) on January 5: Three killed and thirty-eight wounded. (Ramkola, District Gorakhpur) on January 13: no casualty. (Jagannathpur, District Budaun) on January 15: one killed and two wounded. (Simaria, District Hardoi) on January 26: Three killed and thirtyone wounded. (Allahabad) on April 8: two killed and thirty-three wounded. (Umramau, District Rai Barelli) on July 5: Two wounded.

Bihar and Orissa (Motihari, District Champaran) on January 26: Two killed and eight wounded. (Tarapur, District Monghyr) on February 15: Thirteen killed and twentyfour wounded. (Sheohar, District Muzaffarpur) on February 28: Five killed, and eight wounded.

Bombay (dates are not mentioned) the total casualties were thirtyfour killed and ninetyone wounded.

N. W. Frontier Province (no date): two were killed and nine injured.

GOVERNMENT ATTITUDE TOWARDS THE CONGRESS

The Government attitude towards the Congress was explained in the speech of the Viceroy in opening the September session of the Indian Legislative Assembly. Reference may in this connection be made to page 419 and to the discussions on the Criminal Law Amendment Bill in the Assembly.

Plea for starting negotiations with Congress were made by influential leaders from time to time. There was a strong opinion in the country that an end be put to the present impasse brought about by the reactionary political policy of the Government. Questions were made about the release of political prisoners in the Legislative Assembly. To these Mr. Haig could add nothing more than make a statement that on the general question of Government's attitude towards Congress leaders there was no better exposition than that made by the Secretary of the State in the House of Commons in April last saying that there was no question of co-operation with any one associated with Civil Disobedience. If Mahatma Gandhi showed a disposition to restore the relations that existed at the time of the Round Table Conference, he would not find the slightest difficulty in communicating that fact. But one thing was clear that there won't be any question of making a bargain with the Congress as a condition of co-operation.

PANDIT MALAVIYA'S APPEAL FOR NEGOTIATIONS WITH CONGRESS

The leaders of the Congress were in conclave in Benares to review the political situation of the country. The results of the conference were not known but soon after when Pandit Madan Mohan Malaviya was on a visit to Calcutta to open a commercial museum he, in course of an address, held the olive branch of peace. After mentioning that the Congress was still functioning in the teeth of the severe Ordinances, Panditji referred to the bitterness against the Government in the country, the strained relations between the Europeans and Indians and the enormous loss in trade.

Continuing the Pandit said, "We want honourable relationship being established between the Britishers and Indians if only they dealt with us in an honourable manner. In that case nothing would be done to disturb that relation. If the British merchants keep up this attitude of alootness and exclusiveness, this attitude of bitterness, the responsibility of keeping this lamentable atmosphere will largely, if not entirely, rest on those who pursue the present policy. I submit therefore that in the interest of those who wish peaceful atmosphere of the country it is desirable that this policy is changed. I would therefore request those in power to consider the matter seriously and decide whether the time for holding olive branch to the people had come." Pandit Malaviya did not believe that the dual policy of repression and constitution-making could go together. Constitution making required that the persons for whom the constitution should be framed should feel that there was mutual sympathy and regard for each other.

POLITICAL CONFERENCES

ALL-INDIA HINDU MAHASABHA

THE fourteenth annual session of the All-India Hindu Mahasabha opened on September 24, 1932 in New Delhi under the presidentship of Mr. N. C. Kelkar.

PRESIDENTIAL ADDRESS

CONDEMNATION OF COMMUNAL AWARD

In his presidential speech Mr. Kelkar referred to the Communal Award. He said that his first words of comment on the Communal Award would be that it was not the Award of an arbitrator, but simply a decision by the British Government arrived at on their own responsibility, like any other administrative decision. In this connection, he reminded the House that the Hindu Mahasabha, as an association, was not called upon to send any delegates to the Round Table Conference. And they might legitimately feel themselves not bound by the Cabinet decree of the 17th August. He also asserted that for the Communal decision, which they had now issued on the supposed eve of a new era of reforms, the Government themselves were alone responsible.

Referring to the R. T. C. communal negotiations, Mr. Kelkar said that the Government knew in their heart of hearts, that no agreement would be arrived at. Openly as well as secretly, they showed partiality to the minorities, especially the Mussalmans among them.

FUTILITY OF BOYCOTTING COUNCILS

Mr. Kelkar urged that seats in the future legislatures should be filled as far as possible by men who understood their work and might be trusted to keep watch and ward over the administration from the point of view of national interests. He continued: "Hindus might no doubt feel hurt by the palpable injustice done to them by the Government in the Communal Award. But I do not understand how they can remedy matters by simply boycotting the Councils, but loyally obeying laws and decrees outside the Councils. It is a fallacy to suppose that to work under any constitution is to work the constitution. While all the other communities will be represented by their typical leaders in the legislatures, the Hindus will lose at every point if they do not send their representatives also to guard their communal interests, as well as to guard against anti-national interests in the legislatures. Of course, Hindus should ever make common cause with the other communities in demanding Swaraj and trying to wrest political power from the Government in as large a measure as possible, but Hindus, as Hindus, should only go as far as the major minority communities will be prepared to go by way of actual non-co-operation. Hindus, as the largest community in India and as staunch adherents of the cause of Swaraj, may try to give from time to time, a lead to the other communities in putting up a fight against the Government. But Hindus, as Hindus, should never detach their community alone from participation in actual work even within the Councils, while the other minorities will be taking the fullest advantage of the constitution. Non-co-operation with the Legislative Councils by Hindus would not only be futile, but suicidal. So long as no parallel Government is established, boycott of the Councils by Hindus would be a self-imposed injury for which there is no justification."

RESOLUTIONS PASSED

RATIFICATION OF POONA AGREEMENT

The Mahasabha adopted a resolution ratifying the Poona agreement. The important portion of the resolution will be found under Poona Agreement.

COMMUNAL AWARD

The Hindu Mahasabha unreservely condemned the communal decision of the British Government on the following grounds:—

(1) That it has given statutory sanction to separate communal electo rates against all canons of democratic, responsible and representative Government which the British Government are pledged to establish in India and that it belies the Premier's own declaration in the Commons in January 1931.

(2) That it flouts the unanimous opinion of the vast Hindu community and Sikhs, of important sections of Moslems, Christians, and Depressed Classes, and also of the women of India in favour of joint electorates.

(3) That it provides for differential treatment of the minorities, favouring Moslem and European minorities at the cost of the other minorities, in that (a) it adds an artificial arbitrary weightage in representation to the Moslem minorities; (b) it reduces representation of the Hindu minorities in Bengal and the Punjab below what they are entitled to on the basis of their proportion to the population; (c) denies to the Sikhs the weightage in representation which it grants to the Moslem minorities under similar conditions; (d) grants to European and Anglo-Indian minorities weightage in representation grossly out of proportion to their strength in population; and (e) destroys the communal equipoise of the Lucknow Pact endorsed even by the Simon Commission.

(4) That the Government in granting statutory predominance to the Moslem Minorities, are establishing communal despotism by statute.

(5) That the Communal decision is not the award of an arbitrator to which the parties concerned are committed but a decision of the British Government.

(6) That as regards an agreed Indian solution of the communal problem it be pointed out (a) that the problem was at its origin, the creation of the Government, and (b) that its solution was being obstructed by conditions created by the Government, such as, the exclusion of Nationalist Moslems from the R. T. C., and the publication of the Government of India's despatch practically conceding in advance all the fourteen points claimed by Moslems.

(7) That if the British Government are sincerely anxious for an agreed solution, we declare on behalf of the Hindus, that we propose in the place of their award, an international communal award as embodied in the Minorities Guarantee Treaties to which His Majesty's Government and the Government of India are already parties and signatories, and which in Mr. Henderson's words "now form part of the public law of Europe and the world," guaranteeing full protection to the minorities, linguistic, educational, cultural, and religious, but not through communal electorates and reserved representation; and the Hindu Mahasabha, invites all other communities, Sikhs and Nationalist Moslems to stand for the international award, as an agreed solution of the communal problem formulated by the hightest arbitral body of the world.

ENQUIRY ABOUT DEPRESSED CLASSES

Mr. Ramananda Chatterji moved a resolution urging the Government to appoint committees of enquiry to ascertain as to which of the castes was really depressed with their respective numerical strength. The reso-

lution further urged that if any caste were declared not depressed, representation granted to the depressed classes would accordingly be reduced in accordance with the findings of the sub-committee.

OTHER RESOLUTIONS

The Mahasabha next adopted a resolution against the separation of Sind proposed by Mr. Viromal Beghraj and supported by Mr. Ramananda Chatterjee who said that Bengal had always paid for the deficit provinces.

The Mahasabha next adopted a series of resolutions on Kashmir, warning the Government against the Muslim alliance, placing Hindus in a worse position than Moslem subjects of a Moslem Prince.

The Mahasabha congratulated the King and the subjects of Siam on the termination of constitutional question.

The Mahasabha next drew the attention of the Government victimising Hindus in retrenchment and condemned the Frontier Government in regard to Hindus and Sikhs in services and asked to appoint them by the system of competitive examinations.

A dozen more resolutions were adopted by the Mahasabha, important among those being one urging Hindus to organise themselves for military training with the view of the defence of the country, deploring communal riots in Jaipur and appointing committees to enquire into actual facts about the situation in Bhopal, Hyderabad, Rampur and Bahawalpur.

The Mahasabha placed on record the services rendered by the Buy Indian League and urged upon Hindus to pledge themselves to buy Swadeshi.

The session dissolved with prayer for Gandhiji, Mr. Kelkar hoping that the Premier would expedite matters and announce the award.

PROGRAMME BEFORE THE MAHASABHA

Dr. Moonje in course of an interview to "Free Press" made the following statement:—

"The Hindu Mahasabha is throughly dissatisfied and indignant over the communal award which is undemocratic and denationalising. We are evolving a plan in consultation with the Sikhs for frustrating the decision of the British Government and are organising forces which will cheerfully undergo sacrifices and mobilise public opinion in condemnation of the communal award.

"As to the removal of untouchability every Hindu organisation will be requested to organise congregation which caste Hindus would fraternise with their so-called untouchables. These demonstrations would show that untouchability is buried for ever."

ALL-INDIA DEPRESSED CLASSES CONFERENCE

The tenth session of the All-India Depressed Classes Conference met on July 10. Over two hundred delegates from all parts of India were present.

PRESIDENTIAL SPEECH

Rao Bahadur M. C. Rajah in the course of his presidential address examined at length the attitude of Dr. Ambedkar, Rao Bahadur Srinivasan and Mr. Munuswami Pillai, President of the Depressed Classes Conference held at Kamptee, on the question joint versus separate electorates. Continuing, Rao Bahadur Raja said: "If our men in the Councils are to become members of Government they can do so only by being members of one or other of the parties which contest the seats in the general constituency under a system of joint electorates." The President said that they

considered the invitation of the Hindu Mahasabha to join them for work on a common platform and do away with untouchability as an earnest of the attempt by caste-Hindus to remove untouchability. Rao Bahadur Rajah added that, after prolonged consideration and discussion, he had come to the conclusion that they should cast their lot with the general community who after all was said and done held the reins of power. With the caste-Hindus they sank or rose and their future lay in identification with them.

Rao Bahadur Rajah stated that he, on the whole, was satisfied with the Lothian Committee report with reference to depressed classes and hoped that His Majesty's Government would soon accept its recommendations regarding them.

RESOLUTIONS CARRIED

The session concluded after passing a series of resolutions, the first of which stated that the Conference was of opinion that the true interests of the depressed classes, so far as their relation to political administration was concerned, could best be promoted only by means of joint-electorates with reservation of seat on their population basis in all Legislatures and, in pursuance of that conviction, accepted unreservedly the Raja-Moonje Pact which embodied that principle.

The second resolution urged upon the British Cabinet the desirability of including proper and effective directions for securing effective representation to depressed classes by means of an Instrument of Instructions to the Governor-General and Governors.

The third resolution repudiated the London Minority Pact, while the fourth urged unity of ranks amongst the depressed classes.

The fifth resolution demanded an age-limit qualification instead of education and property qualifications for franchise.

The sixth urged the Government to take a fresh census of the depressed classes and the seventh deputed Rao Bahadur M. C. Rajah to go to England in order to develop sound public opinion.

Another resolution expressing loyalty to the Crown was moved from the Chair and unanimously passed.

U. P. DEPRESSED CLASSES' CONFERENCE

A conference of the U. P. Depressed Classes Association was held at Etawah on July 10 with a view to draw attention to the differences, existing between the U. P. and the Southern India Depressed Classes.

The conference expressed agreement with the Secretary of State's announcement of 27th June and fully approved of the new procedure as the only way of solving the constitutional problem.

The conference also resolved that the Viceroy be moved to receive a deputation of U. P. representatives with a view to making out their case for the urgent necessity for giving adequate representation to the Depressed Classes of the province.

The conference thought that Dr. Ambedkar and Rao Bahadur Sreenivasan were wholly unaware of the real nature of the problem of the Depressed Classes in U. P. whose case had been practically judged ex-parte.

The conference was of the opinion that the definition of "Depressed Classes" framed by the Franchise Committee was unduly narrow and unreal and urged that the classes designated as "backward" be included in the definition of Depressed Classes.

The conference also supported the decision of the Indian Statutory Commission and thought that joint electorates with reservation of seats would be the most suitable method of representation.

NAGPUR DEPRESSED CLASS CONFERENCE

The Nagpur Depressed Class Conference, held on August 15, 1932, supported the resolutions passed at the recent session of the All-India Depressed Classes Conference at Bombay, and urged the Government to reserve 25 per cent. of the seats in the educational institutions to the students belonging to the Depressed Classes.

ALL-INDIA KHILAFAT CONFERENCE

The All-India Khilafat Conference met at Ajmer on September 27.

PRESIDENT'S SUGGESTIONS FOR HINDU-MOSLEM SETTLEMENT

In the course of his presidential address Shaik Abdul Majid referred to the insistence of the Muslim community on the retention of Separate Electorates. He said that there was no other choice left to the Mussalmans. Even now if Hindus would agree to Statutory Muslim Majorities on population basis, adequate weightage for Muslim Minorities, separation of Sind and other innocent cultural and religious safeguards, the door of negotiations for an amicable settlement with the Hindus was open on the basis of Joint Electorates.

Discussing the future goal of the Mussalmans of India, Mr. Majid preferred equal partnership for India within the Commonwealth of British Nations with His Majesty the King Emperor and his descendants as the hereditary and constitutional custodians of this Commonwealth. He further opined that the Imperial Conference be converted into an Imperial Legislature which may pave the path for the League of Nations to establish an International Legislature for the nations of the world.

For the Hindu-Muslim settlement he suggested two alternative formulae :—

1. Reservation of seats on population basis for all the communities in all the Provincial Legislatures with Separate Electorates.

2. Reservation of seats on population basis for the Muslim majorities and existing weightage plus one-third of the existing nominated seats for Muslim minorities in the Provincial Legislatures with Joint Electorates throughout India.

One-third Muslim representation in the Federal Legislatures, separation of Sind, introduction of reforms in British Baluchistan, residuary powers to lie with the Provinces, due share in Central and Provincial Cabinets and Services and religious and cultural safeguards form the necessary parts of both the proposals.

RESOLUTIONS PASSED

The conference passed a number of resolutions. The first was with regard to the Communal Award at which the conference expressed dissatisfaction regretting that the Premier had not acceded to the majority of the demands of the Muslims. The conference would wait till the third Round Table Conference and in the event of its failure to have their demands accepted, would resort to direct action.

The second resolution, which refers to a constructive programme, holds that Khilafat Commitees should be established everywhere, volunteer organisations started, and funds raised to give loans to the needy Muslims.

The Government should be requested to hand over to the Muslims all the historical mosques.

Other resolutions proposed by the chair included the starting of a fund for the Mahomed Ali Memorial High School at Beawar and the formation of a committee to investigate the grievances of the Alwar Muslims.

ALL-INDIA MOSLEM CONFERENCE

A meeting of the Working Committee of the All-India Moslem Conference was held in New Delhi on August 7, 1932. The following resolutions were adopted:

ALWAR AGITATION

Whereas the attitude of the Alwar Durbar towards its Moslem subjects and their many grievances which they have, for a long time, been most respectfully and constitutionally laying before the Durbar, have been one of extreme indifference and even of hostility; whereas the recent policy of the Alwar Durbar has been characterised by ruthless repression, so much so that about ten thousand Moslems, men and women, of all ages and stations in life, have been driven to migrate from the Alwar city to Jaipur, Ajmere, Rewari, Ferozepore, Jherka, Guargaon, Hissar, Agra, Bharatpur, Delhi and other places; whereas the Alwar Durbar has not allowed the deputation appointed by the All-India Moslem Conference in its session, in Lahore, to wait upon the Maharaja of Alwar to make a representation about the grievances of the Alwar Moslems, and whereas the Alwar Durbar has failed to appoint an independent Commission to investigate the predisposing causes of the deplorable incidents of 29th May, when State troops fired on Moslems, as demanded by the Working Committee of the Conference on the 8th June, it is hereby resolved that a deputation should wait on the Viceroy in order to place the whole case before His Excellency and request him to appoint an independent commission of enquiry for the purpose of investigating all the grievances of the Alwar Moslems; telegrams be sent to the Secretary of State for India, the Viceroy and the A. G. G., Rajaputana States, drawing their attention to the situation in Alwar, and the ruin it is causing to innocent men and women, and its probable consequences in British India; the Committee calls upon Moslem India to render immediate financial aid to the Alwar refugees.

OTHER RESOLUTIONS

In view of the general feelings of Mussalmans throughout the country, that the Ahrar prisoners who were sent to jail in connection with the Kashmere agitation should be immediately released by the Government, the Working Committee urges upon the Government the desirability of the immediate release of Ahrar prisoners.

In view of the fact that the sword is exempt from the operation of the Arms Act in some districts of the Punjab, while licence is necessary in others, the Working Committee is strongly of the opinion that the sword be exempted from the operation of the Arms Act throughout the Punjab. The Working Committee further calls upon the Moslem members of the Punjab Legislative Council to take necessary steps for the same.

Regarding the further programme of the Conference in case the Government did not concede the minimum demands of the Moslem Conference, it was finally decided to form a sub-committee to discuss and formulate a fuller and stronger programme to be placed before the next meeting of the Executive Board or before the special session of the All-India Moslem Conference.

INDEPENDENT MUSLIM PARTY

There was a split among the members of the All-India Muslim Conference and the Executive Board. The President (Sir Mahomed Iqbal) cancelled the Board meeting, which was to be held at Allahabad on July 3 to consider, in view of the Government's postponement of a decision on the communal question, what direct action should be taken in order to

secure acceptance by the Government of the demands presented by the All-India Muslim Conference. A new party was formed, styled the Independent Muslim Party, with Munshir Hosain Kidwai, Member of the Council of State, as its provisional president. A manifesto issued on July 11 set out the following as the objects of the Party:

"(1) To condemn the present despotic and dilatory measures of the office bearers of the All-Parties Muslim Conference and make them respect the mandates of the Conference; (2) To keep the All Party character of the Conference intact by not allowing its becoming a body accepting every official proposal; (3) Not to permit side-tracking of the main issue before the Conference and the country, namely, the establishment of a Federation in India with all the authority and responsibility in the hands of Indians and with every Federal unit as a sovereign State; (4) To achieve these objects the party will work both within and without the Conference and co-operate with other bodies or individuals, unrestricted bv consideration of race or creed, and welcoming assistance from all."

BENGAL PRESIDENCY MOSLEM LEAGUE

A meeting of the Council of the Bengal Presidency Muslim League was held on July 24. Moulvi Mujibar Rahaman presided.

REFERENCE TO GOVERNMENT ANNOUNCEMENT

The Council of the League did not feel concerned in the change of the Round Table method as announced recently by the Secretary of State for India, but felt that the expressions used by the Secretary of State in his speech in connection with the non-violent struggle for freedom going on in the country, were not only not conducive to the creation of an atmosphere of peace but were also repugnant to the feelings of those who would see India attain her freedom by peaceful and legitimate means.

REPUDIATION OF HINDU ASSERTIONS

The Council shared the view that the renewal of the Ordinances was the contravention of the principles of the Government of India Act and these unjust ordinances were calculated to stand in the way of participation of self-respecting Indians in the work of constitutional reconstruction.

The Council repudiated the assertion made by a section of the Hindus, specially the Hindu Sabha, that the adult Muslim population was in a minority in Bengal. According to the census of 1921, the adult Muslim population in Bengal was definitely in a majority. The Council protested against the suggestion that the representation in the legislautre should be proportionate to the amount of taxation paid by a community and considered this as inconsistent with all principles of democracy. The Council of the League emphatically protested against the suggestion made by the Bengal Hindu Sabha, in the course of a resolution passed by it at its recent meeting that the Mussalmans are inferior to the Hindus in culture and sacrifice and the observation by it is antinational in character and reiterated the resolution of the League that the future constitution of India should be based on joint electorate and adult franchise and that under no circumstances a statutory minority of seats in the Bengal Council would be acceptable to the Mussalmans of Bengal. The Council further stated that if any territorial redistribution disturbed the Muslim majority in Bengal and reduced it to a minority or lowered the percentage, it would not at all be acceptable to the Mussalmans of Bengal in accordance with the principles laid down in the Nehru Report.

EUROPEAN ASSOCIATION

As a result of meetings of the All-India Council of the European Association held in Calcutta between the 8th and 10th August 1932, the Council suggested that in view of the withdrawal of co-operation by the Liberals in the matter of constitutional advance, the procedure on the lines of the alternative method proposed by the Secretary of State for the continuation of the conference method. The Association affirmed the view that there could be no satisfactory issue to the constitutional problem without the co-operation of the various communities in India.

QUESTION OF WITHHOLDING REFORMS

There was, however, a growing uneasiness among the members of the Association who felt that in many Provinces there did not at present exist that measure of co-operation which alone could ensure the success of the reforms, and it was felt that the continuance of the policy of lawlessness and obstruction by the Congress, and the campaign of murder by terrorists must lead ultimately to the suspension of progress. The Council in drawing the attention of the Government to this fact would emphasise that the Association was strongly opposed to the introduction of responsible government in those provinces where such co-operation was absent and where the economic and financial conditions necessary for successful working did not exist.

UTKAL UNION CONFERENCE

A special session of the Utkal Union Conference was held at Berhampur on August 21 to discuss the Orissa Boundary Committee Report. Rao Bahadur Laxmidhar Mahanty, Deputy President of the Bihar and Orissa Council, presided.

The President, in opening the proceedings, said that the Committee erred against the Oriyas in applying different tests at different places. In Phuljhar and Dhalbhum zamindars' voice prevailed against Oriya majority, while in Ganjam the same test was not considered. The Committee did not even give all the portions recommended by the Risley letter of 1903 which recommended inclusion of Ganjam without Chicacole taluk. Touching upon financial deficit of future Orissa, he pointed out that it was more fictitious than real. The future Orissa will not be a deficit province. He referred to the inequitous burden of charging Orissa with heavy interest on unproductive Orissa canals. Regarding agency tribes of Singhbhum and Madras, he said: "They have kith and kin only in Orissa. These aborigines have taken to Oriya education and culture."

RESOLUTIONS

Resolutions were passed urging upon the Government of India to announce immediately the formation of Oriya province and taking necessary steps in that behalf; approving generally the O'Donnell report but protesting against the exclusion of Ichapur, Mandasa, Budharsing, Jalantara, Tekkali, Tabala, Phuljhar, Singhbhum, Southwest Midnapore and also deploring the rushing through in taking evidence by the Committee and the hasty conclusions arrived at by them, regretting the Chairman's dissent about Parlakimedi; and regretting the exclusion of non-official evidence on financial matters by the Committee and challenging the accuracy of the deficit of 34 lakhs and suggesting various means of making Orissa self-sufficient and how the deficit shown might be met. The same resolution suggested the financing of backward areas by the Central Government as suggested by the Simon Committee, wiping out the interest charges on Orissa canal, remission of Orissa share of pensions on the line of the Brayne report and expecting the usual contribution for buildings, etc., from the Central Gov-

ernment on the formation of a new province. It also suggested various means of curtailing expenditure.

The Conference protested against the resolutions of the Madras Council fixing the boundary at Rishikulya and stated that Andhra lawyers who had gone to England on professional business had waited upon the Secretary of State against Oriya cause and hoped that the Secretary of State would not be misled by such deputations. The Conference decided to send a representative deputation to the Viceroy to explain the Oriya view with the Raja of Parlakimedi as the spokesman.

ANDHRA MAHASABHA CONFERENCE

The Andhra Mahasabha Conference held on July 31, 1932 at Bezwada protested against the attempt made for the partition of Andhra Desa. The following resolutions were passed:

SETTLEMENT OF FINANCIAL QUESTION

This Conference, while reiterating its conviction of the need for the formation of provinces on a linguistic basis, is strongly of opinion that such formation should follow the settlement of financial relations between the Provincial Governments and the Central and Federal Governments in the impending changes in the future constitution of the country, and that a Boundaries Commission as recommended by the Indian Statutory Commission shall be constituted.

INCLUSION OF VIZAG AGENCY

This Conference is surprised that there should have been any proposal for the inclusion of any portion of the Vizagapatam Agency in the proposed Orissa province.

BOUNDARY QUESTION

(a) This Conference is fully convinced that the only reasonable division can be effected by taking an existing natural boundary for the new Orissa province and that that boundary could be no other than the Rishikulya River, its tributary Godahadu River and the Mohiri Mills. (b) This Conference strongly objects to the tranfer of any portion of the Government area of the Berhampur Taluk (including Berhampur Town) and the three Government firkas of Chatrapur, Chammakhandi, Tanganapalli and Ichchapur. (c) This Conference resists with all the emphasis that it can command the transfer of the Parlakimedi zamindari and of the Parlakimedi Maliahs. (d) This Conference considers it a grave injustice to the Savaras and Khonds whose territory is recommended by the Committee to be transferred to Orissa; and (e) this Conference has not been able to find any reasonable principle or convincing ground for the line of boundary suggested by the Orissa Commission.

DISABILITIES OF TELUGUS

This Conference, having regard to the financial position of the proposed Orissa Province resulting in an annual deficit ranging from 35 to 41 lakhs of rupees, as disclosed by the Report of the Orissa Committee itself, is strongly of opinion that it is unjust and unfair to submit the Telugus, Savaras and Khonds of the areas proposed to be transferred to any fresh taxation which will be necessitated to meet such deficits to maintain the present standard of administrative efficiency. And considering the fact that there will be no University, no High Court, no scientific institutions for the development of agricultural, engineering and medical sciences, this Conference is further of opinion that the Telugus of the tracts proposed to be transferred should not be subjected to the disabilities incidental thereto.

LABOUR MOVEMENT

ALL-INDIA TRADE UNION CONGRESS

THE All-India Trade Union Congress met in open session in Madras on September 12 under the presidency of Mr. J. N. Mitra and concluded its proceedings after adopting a number of resolutions, the more important of which are given below:—

LABOUR LEGISLATION

The Congress expressed it as its opinion that labour legislation introduced by the Central and Provincial Governments was deceptive and one-sided in application in so far as every law was sought to be strictly applied to labour unions while the employers were left free to do as they liked and even to withhold recognition from properly constituted labour unions; and therefore urged upon the workers to strengthen their organisations to compel recognition from the employers on the strength of their solidarity and united action.

RAILWAY WORKERS' STRIKE

The Congress held that in view of the present policy of retrenchment adopted by the Railway Board and in view of the sporadic strikes at Matunga, Perambur, Kharagpur, Lilloah, Lucknow, Mugalpura and Ajmere it was clear that the workers all along the line were determined to declare a general strike at any moment, and the responsibility for postponing it indefinitely lay upon leaders like Mr. Jamnadas Mehta, Mr. V. V. Giri and Mr. S. C. Joshi who were guiding the policy of the Railwaymen's Federation. The Congress resolved that railway workers should realise the need for overthrowing such leadership and evolve an effective leadership of their own. It assured the railway workers of its whole-hearted co-operation and sympathy in their impending fight against the Railway Board.

The Congress recorded its protest against the rule by Ordinance and declared that such a policy of suppressing the elementary and democratic rights of freedom of speech, freedom of association and organisation was autocratic and medieval and called upon the working classes in India and Great Britain to demand the immediate cessation of such a rule.

LOTHIAN COMMITTEE REPORT

While condemning the Lothian Committee report recommending the enfranchisement of all the agricultural workers of India and recommending a totally inadequate representation to industrial workers. the Congress declared that the Indian working classes would not be satisfied by any measures or grants in the interest of the Indian upper classes and demanded the transfer of all power to the toiling masses to the exclusion of the exploiting minority. The Congress deplored the attempt being made in different parts of the country by communalists to form communal unions and declared that such attempts were detrimental to the interests of the working classes.

OTHER RESOLUTIONS

The Congress authorised its Madras Provincial Committee to appoint a special committee to make a thorough enquiry into the present grievances

of the textile workers in the Presidency and to report to the General Council of the T. U C for consideration. It also authorised the Coimbatore Labour Union to appoint a special committee to organise and consolidate the tea and coffee plantation workers in the Madras Presidency. The Congress also resolved to send fraternal greetings to the textile workers in Lancashire.

By another resolution the Congress demanded that Indian States should enact labour legislation on the lines of the Indian Trade Union Act in force in British India.

The Congress condemned the Communal Award announced by the Prime Minister as being calculated to keep the Indian people divided into water-tight compartments,

The Congress opined that the agreements arrived at Ottawa were harmful to the best interests of the Indian working people.

INDIAN TRADES UNION FEDERATION

The first session of the Indian Trades Union Federation was held in Madras on July 15 under the presidency of Mr. V. V. Giri.

PLATFORM OF UNITY

The following resolution regarding the union of trade unions was unanimously passed:—

"This Federation welcomes the efforts made by the Trade Union Unity Conference to establish unity in the ranks of Labour, and while substantially agreeing with a large number of proposals made by the Conference and recognising that there are certain points of importance which remain to be considered, authorises its Working Committee to consider and report upon the recommendations of the Conference after consultation with the affiliated unions. The Federation further authorises the Working Committee to enter into discussions with the representatives of other organisations, if necessary, for faciliating the reconciliation of differing points of view."

FUTURE INDIAN CONSTITUTION

The following resolutions relating to the position of Labour in the future Indian constitution were adopted:—

This Federation is emphatically of the opinion that the future constitution for India should have among its essential features: (1) a declaration of fundamental rights guaranteeing inter alia to the workers, freedom of speech, freedom of the press, freedom of assembly and freedom of organisation, the right to strike, and provision against old age, unemployment, sickness, etc.; (2) universal adult suffrage as the basis of franchise; (3) for a period of three elections under the new Constitution and thereafter as long as special representation for other interests remain a feature therein, representation shall be accorded to labour by means of election through Trade Union Constituencies alone to the same extent as may be conceded to the capitalist classes: (4) labour legislation to be made both an All-India Central or Federal or Provincial subject, and Provincial Legislatures also to have the right of legislation thereon; (5) the central (All-Indian or Federal) Government to possess the power of ratifying the convention and recommendations of the International Labour Conference and securing their enforcement throughout India.

This Federation is further of opinion that in any scheme of representation to the Federal Legislatures from the Indian States, the interests of the workers in those States should be safeguarded in the same manner and to the same extent as in British India.

This Federation is of the opinion that the scheme of representation for workers as recommended by the Indian Franchise Committee falls seriously short of the requirements for the adequate protection of their interests and strongly urges that the number of seats for workers in all the legislatures, both Central and Provincial, should be at least 10 per cent. of the total number.

This Federation strongly condemns the proposals for the ear-marking of seats allotted to the working classes on a communal or racial basis as such proposals are detrimental to the solidarity of the movement and consequently unacceptable to the workers.

WORKERS' SOLIDARITY TO BE MAINTAINED

This Federation expresses its unqualified condemnation of the efforts made to organise workers on communal or racial lines and resolves that no such Unions or organisations shall be affiliated to the Federation; further it makes an earnest appeal to the workers in their interests not to join such organisations.

This Federation views with the deepest disapproval the organised attacks of the capitalist class on the rights and standard of life of the workers by means of wage cuts, retrenchment and refusal to recognise the workers' elementary right of organisation.

This Federation condemns the indiscriminate support which the Government accords to the capitalists in resisting the legitimate demands of the workers by the use of various sections of the penal and criminal procedure codes, and other repressive measures.

This Federation therefore calls upon workers to strengthen their organisations particularly with a view to meet the present menace to their rights and interests.

This Federation makes an earnest appeal to all employers of labour, whether Government or private, not to deprive workers of their right, by penalising them for being members of a Trade Union.

WHITLEY COMMISSION'S RECOMMENDATIONS

The Federation adopted a resolution expressing its grave concern at the utterly inadequate efforts made so far by the Government of India and the Provincial Governments in carrying out the recommendation of the Royal Commission on Labour and urged in particular that immediate action be taken with a view to the introduction of a 48-hour week's schemes, for health and unemployment insurance and maternity benefits, a minimum wage for workers, compulsory housing, relief of indebtedness, control of working conditions, in unregulated and seasonal industries and the organisation of Labour Departments as recommended by the Whitley Commission.

The Conference next adopted a number of other resolutions relating to the position of miners, Indian seamen, jute mill workers and daily rated and subordinate staff in Government service and they were:

EXEMPTION FROM WAGE CUTS

(1) Whereas the elimination of women workers from miners is already going on on a considerable scale as required by law and whereas miners, are greatly suffering because of a sudden fall in their families' incomes by such elimination without a proportionate increase in the wages of men miners, the Government should instruct the Mining Board to enquire into this matter in consultation with the representatives of miners; (2) whereas, no climatic restrictions were observed with regard to the employment of Indian seamen during the Great War and whereas Indian seamen stood

equal to any other maritime labour in all seasons and in all waters and whereas the re-inforcement of these climatic restrictions have thrown out of employment hundreds of Indian seamen, giving room to Chinese and Malayan seamen, the Government of India should remove the said restrictions without any further loss of time and thereby save the Indian seamen, specifically of the Port of Calcutta, from further unemployment and consequent hardship

TRADE UNION UNITY CONFERENCE

The Trade Union Unity Conference opened its session on July 14 in Madras under the presidentship of Mr. Jamnadas M. Mehta. Over 55 labour organisations attended the Conference. The object was to find a platform of unity between All-India Trade Union Congress and Indian Trades Union Federation, the offshoot of the Nagpur split in the Trade Union Congress. The split at Nagpur in 1929 was attributable to vital differences of opinion as regards the principles and methods of action of labour unions. One section of the Congress opposed participations in the Whitley Commission and wanted to boycott the Simon Commission. The section also pressed for affiliation of the Congress to foreign bodies. The moderate elements in the trade union movement, who could not acquiesce in the views referred to above, parted from Congress and established the Indian Trades Union Federation An acrimonious controversy developed between the two sections, one being denounced as militant communists in the pay of Moscow and the other condemned as the creatures and proteges of a capitalistic bureaucracy.

PLATFORM OF UNITY

The Conference adopted the following platform of unity.

I. A trade union is an organ of class struggle; its basic task therefore is to organise the workers for advancing and defending their rights and interests; and although collective bargaining is the necessary implication of a Trade Union and in the transitional period to Socialism, negotiations, representations and other methods of collective bargaining must remain an integral part of Trade Union activities. Labour and capital cannot be reconciled in the capitalistic system.

II That whenever necessary co-operation with the employers in the interests of the workers is not excluded.

III. The Indian Trade Union movement shall support and actually participate in the struggle for India's political freedom from the point of view of the working classes. This would mean the establishment of a socialist state and during the interval, socialisation and nationalisation of all means of production and distribution as far as possible.

IV. The Indian Trade Union Congress stands for:—(I) freedom of press; (II) freedom of speech; (III) freedom of assembly and (IV) freedom of organisation.

V. The immediate demands of all the Trade Unions shall be:—(1) A statutory enactment providing six hours working day; (2) Minimum wages guaranteeing all workers an irreducible standard to be fixed after investigation; (3) Weekly payment of wages wherever the workers demand it; (4) Equal wages for equal labour without racial or sex discrimination; (5) One month's leave a year with full pay; (6) Unemployment, sickness, old age and maternity insurance at the expense of the employers; (7) Better housing and working conditions for all workers; (8) Formation of elective workers' committees in factories, workshops, business houses and all other places where collective work is performed with a view to control the con-

ditions of work inside those places; (9) Abolition of the employment of children under 14 years of age; (10) Leave with pay to women workers for six weeks preceding and six weeks after child-birth; (11) Abolition of all other systems of recruiting labour except through Trade Unions; (12) Abolition of fines imposed by the employers, be they private individuals or Government; (13) Abolition of the employers' control over the Provident Fund of the employees.

VI. The Trade Union Congress should consider whether an experiment should not be made for three years or more by affiliating the Congress to the International Federation of Trade Unions at Amsterdam; the final decision to be reached in the light of the result achieved.

VII. No representative of the Trade Union should accept nominated seats in the Central or Provincial Legislature and the Central Labour organisation will be entitled to repudiate the representative character of a nominee on any official committee or commission except when such nomination is in pursuance of a prior election by the Trade Union Congress or a subsequent ratification by its executive.

VIII. The Trade Union Congress should send delegates to the International Labour Conference held under the auspices of the League of Nations, such delegates to be elected by the All-India Trade Union Congress.

IX. The methods of achieving the objective of the labour movement shall be peaceful, legitimate and democratic.

X. When unity is achieved, the central organisation that is to be formed will be called "The All-India Trade Union Congress."

The "platform of unity" now adopted does not leave the reorganised Trade Union Congress open to the charge of being either dictatorial or servile.

UNEMPLOYMENT IN INDIA

The International Labour Office has issued the following statement:—

The altered conditions of industry, consequent on the prevailing economic depression and trade slump, have in recent months necessitated drastic retrenchment of staff in the principal industries of India. In Indian railways alone up to the present over 40,000 men have been discharged due to the need for retrenchment. When it is remembered that unemployment is already rampant in the country, that about 50 per cent. of Indian seamen are on the unemployed list, that in the textile industry of Bombay alone over 30,000 operatives are remaining without work, that the jute industry of Bengal is at its lowest ebb, and that even possibilities of agricultural employment have shrunk owing to reduction in the cultivated area because of recent phenomenal fall in prices of agricultural products, the unwisdom of further swelling the ranks of the unemployed by wholesale retrenchment of staff becomes evident.

In these circumstances the devising of any workable alternative to retrenchment should come as a great relief to both employers and employees. Two of the palliative measures suggested as practical alternatives to retrenchment are resort to a system of compulsory leave without pay or on half pay by rotation and the reduction of the working week by one day or two days as necessitated by the conditions prevailing in the industry concerned. Though such action may involve a fractional loss of wages for each worker, it has the advantage that by pooling the loss through collective sacrifice, the necessity for discharges of workers is obviated.

MYSORE AND ALWAR

MYSORE SUBSIDY.

THE history of the tribute levied from the State of Mysore went back to 132 years ago. The people of Mysore, in a public meeting held at Bangalore on September 11 protested against the continued levy of the subsidy which amounted to Rs. 24½ lakhs annually. All sections of the people, irrespective of creed, caste and community were agreed on this point. It was held that the subsidy was an anomaly and an anachronism, quite inapplicable to modern times. There was no doubt that the subsidy was a crushing burden on the revenues of the State. The necessity of a separate force for the defence of Mysore had long ceased to exist. It was also contended that apart from this subsidy Mysore contributed to the Imperial Government in the shape of customs and other duties nearly three times as much as the subsidy. If not for any thing else, on this ground alone, the subsidy should be wiped out. It was impossible to deny that the subsidv was a feudal tribute and it was high time, in view of the enlightened form of Government, now in force in Mysore, that the ancient relic of barbarism should be done away with. The people of Mysore also felt keenly that while many States were immune from contributions to the Central Exchequer in the shape of subsidy, they were being assessed to tribute far in excess of that demanded from the population of the rest of the Indian States.

SUBSIDY INCONSISTENT WITH FEDERALISM

In his presidential speech Sir Puttana Chetty said, "The four main objections against this continued levy are: its volume; the length of time during which it has been paid; the indirect taxation paid by the people to the Central Exchequer, which more than meets the cost of defence; and the disappearance of the original objects for which the levy was ostensibly made. These are our objections, apart from the moral grounds which can be urged against such a levy. While a compulsory levy like that cannot be defended, at any rate in the case of Mysore, even under the system of Government prevailing in this country to-day, it would be impossible to say one word in favour of it under the contemplated Federation. Federation, in its essence, is based on mutual agreement; and a system of Federation which contemplates from the start the continuance of a compulsory levy, seems inconceivable not only from the mere logical point of view but also from the point of view of practical politics. I feel I should invite attention to the fact that such a levy is incompatible with our very normal existence as a people and cannot be defended under Federation on any known principle of Federalism or Federal Finance. Federalism connotes, voluntary agreement to join; equality at the centre; and practical autonomy of the units forming it as regards purely local affairs. This levy means the virtual abandonment of the first two essentials. Looked at from the point of view of practical finance the continuance of the levy seems unjustifiable."

GRIEVANCES OF THE PEOPLE OF MYSORE

The following resolutions were then passed:—

"The meeting desires to place on record its sense of disappointment at the recommendations made by the Davidson Committee on several important subjects affecting this State, more particularly that relating to the entire remission of the Tribute.

This meeting hereby declares that the recommendation of the Committee in regard to the Tribute, which has been so long levied from this State and whose entire remission is looked forward to as due to it as a measure of bare justice, is unfair to it and practically bars all progress for a period of time which may extend, humanly speaking, to two decades.

This meeting accordingly enters its emphatic protest against the further continuance of the Tribute, especially in view of the urgent financial requirements of the State and the incapacity of the people to bear any longer this crushing burden along with their contribution to defence and other charges in common with the rest of India.

This meeting in the circumstances detailed above, appeals to H. E. the Viceroy and the Rt. Hon. the Secretary of State for India that they be graciously pleased to take into immediate consideration the serious disabilities to which this State has so long been subjected, despite the repeated representations preferred in this behalf by its people and its authorities and take all necessary steps to remedy them without loss of time."

ALWAR STATE

In view of an agitation* carried on against the Alwar State in Delhi, Ajmere and Lahore His Highness the Maharaja of Alwar's Government issued a statement on July 31 contradicting all allegations about interference with religious rights and prevention of teaching Quran to Moslems. The statement ran thus:—

"His Highness' Government are not aware of any single order having been passed on either of these matters in any form that can be considered to substantiate these implications.

At one time certain interested persons in Alwar raised an agitation when a new road was being aligned by the P. W. D. leading from the main road to one of the regimental lines Suddenly a disused building of at least 60 years standing, which was full of grass and Karab and which was officially described in the State records of 60 years back, including the past settlements, as a 'Tibara,' was made out to be a Mosque. His Highness, however, consulted his Moslem people and showed various alignments which were drawn by the P. W. D. and wanted to ascertain which alignment they preferred. Dr. Mohamed Ali of Alwar, the spokesman of the Muslims, stated that as they were the children of His Highness, and looked upon him as their father, they left the entire question in his hands including the demolition of the 'Tibara'. His Highness then said that he was aware of the sentiments of his people; and although a temporary agitation had caused some flutter he much appreciated the trust and confidence reposed in him. His Highness responded to this warm-hearted appeal and announced the abandonment of the road altogether.

NO RELIGIOUS INTERFERENCE

Another agitation was started by the same group in Alwar with regard to private schools. Orders were passed some five years back that there was no objection to starting private schools, whether by the Hindu or Moslem community,—only permission should be obtained and such schools should

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* Reference in this connection may be made to the resolutions passed by All-India Muslim Conference, which appear on page 614.

be open to inspection, because His Highness' Government must make certain that no undesirable propaganda was being carried on or taught in any institution against the State or the British Government. For five years these orders were transgressed, until the Nazims finally put them into effect and ordered the closing of all private institutions temporarily, directing them at the same time to apply for the necessary permission, which would be readily granted. Several people complied with these instructions, and in the meantime His Highness issued a new Gazette notification laying down 'explicitly' that in the case of 'religious' Maktabs or Pathshalas only 'intimation' hereafter be sent ten days before the opening of such private institutions; but in the case of secular institutions permission was to be obtained beforehand. It was clearly mentioned in the Gazette that even this information did not apply to daily religious practices in temples or mosques. or regarding the preaching of Quran or other religious subjects ordained by the respective religions. These orders were issued in May last, and yet agitation seems to continue on the same old ground which does not exist—which never existed—and the resolutions that have come to the notice of His Highness' Government, passed by various Moslem meetings in some places in British India, have all concentrated on the fact that the State has interfered with religious education and teaching, which is exactly the contrary of truth. They conveniently leave out of account that even when the Maktabs were temporarily closed for a few days pending their applying for permission, there were only 17 Moslem Maktabs in the State which came under this category, while there were 35 Pathshalas belonging to the Hindu community, about which no one raised any objection although they fell within the purview of the same order. His Highness' Government can emphatically state that there is no truth whatsoever in the allegations made by agitators that the teaching of Quran has been prohibited or that the permission of His Highness' Government is required before it can be taught, or that any Muslim has been prevented from leaving the State or returning to it from outside.

As regards the allegation that adequate facilities for defence are not being accorded to the Muslims, His Highness' Government infer that these allegations have been made because lawyers from outside have not been allowed to appear in the State Courts. But the prohibition against outside lawyers appearing in the Judicial Courts of the State is a rule which has the sanction of old custom from generations past and which is in force in most States."

RESTORATION OF AMITY

The amity and goodwill between the Hindu and Moslem subjects of the Alwar State were re-established on September 19, 1932. The Hindu and Moslem subjects of the State presented an address to H. H. the Maharaja of Alwar assuring His Highness that they had buried the dead past and that the passing tension between the communities had ended. His Highness assured his people, Hindus and Muslims alike, that he had their welfare in his heart. Referring to the agitation in the Press regarding legal assistance to accused Hindus and Muslims, His Highness enjoined on the lawyers practising in the State Courts that they should not be afraid of assisting their clients in every manner possible through fear of any one. His Highness declared that throughout his reign he had not observed any distinction between Hindus and Muslims, and the idea of ever persecuting Muslims in any sense whatsoever, had never entered his mind and was not likely to do so in the future.

NOTABLE TRIALS

MEERUT TRIAL

The prosecution arguments against the accused were summed up individually by Mr. Kemp, the senior Crown Counsel. Arguments concluded on August 16. The Judge asked the assessors for their opinions which were as follows:—

Four assessors found the following persons unanimously "guilty": Spratt, Bradley, Ghate, Mirajkar, Joglekar, Nimbkar, Dange, Usmani, Adhikari, Muzaffar, Goswami, Chakrawarty, Basak, Ajudhiaprasad, Sohan Singh, Abdul Majid. Joshi, and the following persons "not guilty":—Thengdi, Hutchinson, Huda, Mittra, Ghose, Gouri Shanker and Kadam.

Jhabwalla, Alwe, Kasle, Saigal, Desai and Mukherjee were found "not guilty" by 3 to 1.

The fifth assessor said that all were more or less guilty but not under Section 121-A.

Judgment was reserved which would be delivered after about 3½ months.

SHOLAPUR CONGRESSMAN'S CASE

Keshav Balbhim Joshi, an ex-dictator of Sholapur Congress Committee, who was sentenced to four years' rigorous imprisonment by the Sessions Judge of Sholapur, on the charge of instigating the police to shoot their officers (Section 115 of the Penal Code) filed an appeal at Bombay High Court.

In the appeal, it was contended for the accused that the speech did not sustain the charge under section 115, i.e., abetment of an offence punishable with death or transportation for life. There was no basis for the prosecution suggesting that the accused instigated the police to shoot at their officers, which was the subject matter of the charge.

JUDGMENT PASSED

In delivering judgment, the Chief Justice and Mr. Justice Nahavaty observed that the question was whether the speech amounted to an instigation of an offence punishable with death or transportation for life. The gist of the accused's argument appeared to be that the public ought not to hate the police, because the police were Indians, and in course of time would cease to support their officers. If the words were taken literally, they amounted to a prophesy as to what was likely to happen in the future, and did not amount to an instigation. The only actual instigation founded on that prophesy was that people should not hate the police—an advice in itself laudable. In their Lordships' view, instigation of the police to shoot their officers—which was the charge—was not a necessary implication from the words used by the accused. That being so, their lordships held that the offence under Section 115 was not proved, and set aside the sentence of 4 years' rigorous imprisonment of this charge.

Their Lordships, however, confirmed the sentence passed on the accused, of two years' rigorous imprisonment in respect of the same speech, but the charge was under Section 117 of the Penal Code (abetment of an offence other than those punishable with death or transportation).

ANANDA BAZAR CASE

Sj. Satyendranath Majumdar, publisher of the "Ananda Bazar Patrika," and Sj. Jagadish Chandra Mukherjee, keeper of the Ananda Press, wherein the newspaper is printed, applied against an order of the local government directing them to deposit as securities the sum of Rs. 2,000 in connexion with the publication of an article in the paper entitled "England and India,—Economic Condition."

FACTS OF THE CASE

The complaint of the local Government was that the petitioners had published and printed in the said newspaper on April 17 last an article containing words of the nature described in sub-section 1 of section 4 of the Indian Press Act, 1931, as amended by section 63(d) of the Emergency Powers Ordinance, 1932.

On behalf of the petitioners it was argued that the article in question was published as a legitimate comment and bona fide expression of opinion on a current topic of discussion of public importance with a view to removing certain public grievance in the usual, ordinary and normal course of the discharge of the duties of the conductors of a newspaper without any intention of giving offence to any person or persons, class or classes and of creating dis-affection. The objectionable passages did not, in the original Bengali, form part of one whole paragraph; they are, in fact, a series of sentences taken out of their setting and rolled up in such a way as to suggest that they are all connected with each other."

JUDGMENT PASSED

Mr. Justice Ghosh, delivering judgment said: "Reading the original Bengali and its authorised translation, it strikes me that the writer is bewailing the present economic condition of the country and that his comments are inspired by a comparison between the zeal and enthusiasm of the authorities in England and the alleged inaction of the authorities in India as regards the solution of questions relating to unemployment and to obtaining better facilities for purposes of trade and commerce. The writer goes on to accuse the authorities in India of suffering from a sort of inertia as regards taking measures which would revive trade and commerce. So far I do not find that there is any warrant for the action taken by the Government, but there are other passages in the offending article which I must consider, and the main question for decision in the present proceedings is whether there is any accusation that the authorities are of set purpose indifferent to the well-being of the people or that the inaction of the Indian Government is prompted by racial discrimination. If the prosecution had been launched under section 124A Indian Penal Code, I should have had great difficulty in finding the writer guilty, but the position is here different. The intention of the writer is a thing which we are not entitled to take into account; we are concerned with the effect of the words used by the writer. The intention of the writer is a thing which we are not entitled to take into account; we are concerned with the effect of the words used by the writer. onus of proof in the present proceedings is on the petitioners. And I am constrained to hold that there are passages in the offending extracts which are hit by section 63(d) of the said Ordinance. The passages that can easily be brought up against the petitioners are contained in paragraph 7 of the authorised translation. It is suggested therein that protection has been given to certain industries because they are carried on with foreign capital and are under foreign management. True, the word "Bideshi" in

the original Bengali does not necessarily connote "British" and it may be read as meaning "non-indigenous."

I am aware that in construing this passage one cannot overlook the main idea running through the entire article; but even after making all allowances I am reluctantly obliged to come to the conclusion in the light of what has been said by Mr. Justice Strachey in first Tilak case that the words used are such as may be considered to impute unworthy or dishonest motive to the Government, and therefore calculated to bring into hatred or contempt the Government or excite disaffection towards Government. I must, therefore, hold that the petitioners are without any redress and that, therefore, the petitions must be dismissed."

FREE PRESS EDITOR ON TRIAL

Mr. P. Dutt, Editor, Free Press, Lahore Branch was charged for circulation of news regarding the alleged burning of the house of Khan Abdul Ghaffar Khan, Frontier Gandhi.

The Additional Magistrate of Lahore, in delivering judgment on the case on July 13, stated:

"There must be some direct evidence to establish the accused's intention fairly and unequivocally, and it must be proved that he received information from a source which could not possibly be treated as reliable and broadcasted the same without precautions as expected from a respectable individual of his position in life.

As to the circumstances under which the message in dispute was received by the accused and to test his bonafides, it was stated that two Peshawaris from Peshawar came with a written statement containing particulars given in the message under examination. They had been sent to the Free Press by Sardar Sardulsingh Caveeshar, and Mr. P. Sinha, Assistant Editor, "Free Press," Lahore stated that in spite of the Frontiermen swearing, he, before sending the news in question to the press enquired of Mr. Caveeshar who assured him of the authenticity of the same. These enquiries in view of the political situation in country can not be viewed as reasonably sufficient.

Mr. Dutt who knew the state of the country should have taken all care, humanly possible, though ordinary methods of enquiry were beyond his reach. The phraseology of the message was calculated to cause criminal alarm to the people on the Frontier. It might not have been unduly affected, but it is undesirable that people elsewhere must have suffered pangs after reading the graphic message."

The Magistrate sentenced Mr. Dutt to a fine of Rs 50 for each offence in default one month's simple imprisonment in all. Fifteen days' time was granted for payment of the fine.

"GANDHI GOSPEL" SEDITION CASE

Basanta Kumar Chatterji, compiler of a booklet called "Gandhi Gospel" and Jawaharlal Bakshi, publisher, who had been convicted on a charge of sedition under section 124-A I.P.C. filed an appeal before the High Court of Calcutta.

FACTS OF THE CASE

The allegations were that the petitioners grouped together certain sayings from the speeches and writings of Mahatma Gandhi, divorced from their original contexts in this booklet, which brought the Government into hatred.

While pleading not guilty, the defence attacked the judgment of the Magistrate as it contained references to the no-rent campaign in the United Provinces, the Red-Shirt movement in the North Western Frontier Province and the Berhampore resolution to base on them a finding that the time for the publication of the booklet was a time of acute and extreme political tension, although no evidence was adduced by the prosecution to that end. And the question arose whether the Magistrate was entitled to take judicial notice of these events to base on them his finding.

THE JUDGMENT

Mr. Justice Jack passing orders said that on a study of the provisions of section 57 of the Evidence Act, his lordship thought that there could be no doubt that certainly without reference to any books of history, the Magistrate was not entitled to take judicial notice of the time at which these events took place, so as to base on it his finding that this booklet was published at a time of extreme and acute political tension. But this was not the deciding factor in this case.

Dealing with the merits, his lordship referred to the defence argument that many of the passages did not refer to the Government of India but to the Home Government, and said that it was so; but his lordship remarked that there were other passages which hit the section 124-A I.P.C. and came within its provisions.

It had beeen suggested by the defence, proceeded his lordship, that the intention of the writer was to be gathered from the "Foreword" but his lordship thought that it was obvious that the best indication ot the motive of the writer was to be gathered from the booklet itself.

A perusal of the booklet, concluded his lordship, would satisfy any reasonable man that the writer was not actuated by the idea of criticising the Government measures with a view to obtain their alterations by lawful means. There could be no doubt, that apart from the time being one of tension, the trend of the book was such as to excite disaffection fowards the Government established by law. And admittedly it was published after the Civil Disobedience movement had been started.

Their lordships accordingly rejected the revisional application and upheld the conviction and sentence.

BOMBAY CONGRESS WORKER'S CASE

Mr. Jai Prakash Narayan, described as the Secretary of the All-India Congress Committee, was charged under Sections 17(1) and (2) of the Criminal Law Amendment Act with being a member of and assisting the operations of an unlawful associations.

The accused pleaded guilty to the charges and refused to take further part in the proceedings.

SUMMARY OF EVIDENCES

The mass of records. files and correspondence exhibited before the court revealed the fact that the Congress movement in India was directed from Bombay and a regular system of collecting letters and weekly reports from the different provinces through a net-work of messengers was maintained. Secret correspondence was very skilfully carried on under accommodation addresses not only with Congress workers in India but also with sympathisers beyond the seas, in Birmingham and Italy. Some of the letters referred to the activities of Sjts. Gangadharrao Deshpande and C. Rajagopalachariar, Pundit Malaviya and Mira Ben (Miss Slade).

From the evidences it appeared that Jai Prakash, a Behari, graduated from the Ohio University in America, was a research scholar in the Labour

Department of the Congress. From his head-quarters in Bombay he was alleged to have been directing Congress activities all over the country. He was also said to have been assisting actively the operations of the Bombay Provincial Congress Committee which had been declared unlawful by the Government. His duty was to issue directions to provincial workers. He was also in constant touch with the Acting President of the Congress.

THE SENTENCE

Sjt. Jai Prakash was awarded 6 months' R. I. and Rs. 100 fine, in default, 6 months' further R. I. on the first count and 1 year R. I. and Rs. 200 fine, in default, 2 months' further R. I. on the second count, the substantive sentences to run concurrently.

HIGH COURT'S POWER TO REVISE SPECIAL COURTS' ORDERS

A Full Bench of the Bombay High Court delivered judgment on July 20 in the case arising out of a revision application filed by Mr. B. H. Phansalker, who was convicted and sentenced to eighteen months' rigorous imprisonment and a fine of Rs. 1,500 by a Special Magistrate under section 21 of the Emergency Powers Ordinance. The facts of the case were that the applicant was arrested under section 3 of the Ordinance which had been promulgated on January 10. On January 17 the applicant was in custody of the Bijapur prison when he was served with an order by the District Magistrate of Sholapur requiring him to carry out certain conditions, one of which was that he should report himself to the Pandharpur police three times a day. The applicant complied with the order till February 11 when the District Magistrate served another order extending the original order till July. The applicant disobeyed the order and consequently was arrested and convicted. The first point taken up by the applicant's counsel was that the Emergency Powers Ordinance had not been validly promulgated in the Bombay Presidency and therefore all sentences passed under it were illegal.

It was said by the Advocate-General that this court had no power of revision for superintendence over the courts constituted by the Emergency Powers Ordinance and that therefore could not entertain this application in revision.

The Chief Justice, Sir John Baumont, while holding that the Ordinance had been validly promulgated in Bombay Presidency, held that although the Ordinance did remove the jurisdiction of the High Court under the Criminal Procedure Code and under Letters Patent, it did not take away the powers of the High Court under section 107 of the Government of India Act.

Concluding the judgment the Chief Justice observed, " Experience shows that irregularities and illegalities have been creeping in in the administration of law, and I think it would be unfair if the High Court had no power to direct and regulate any irregularities and illegalities, committed by lower courts. We must, therefore, deal with these revision applications on their merits."

FOREIGN AFFAIRS

OTTAWA AGREEMENTS

THE Imperial Economic Conference which opened at Ottawa on July 21 and to which a short reference was made on page 367, concluded its session on August 20, 1932.

GENERAL PRINCIPLES OF AGREEMENT

Twelve Empire agreements in all were signed, seven of them being contracted by the United Kingdom. Other agreements were between Canada and South Africa, Canada and Irish Free State, Canada and Rhodesia, South Africa and New Zealand and South Africa and Irish Free State. The text of the Indo-British Agreement appears on page 369.

A survey of the Ottawa agreements shows that they provide for the continuance of free entry into the United Kingdom, after November 15, 1932, of all Empire goods now duty free, subject to certain exceptions. The Dominions will institute new or increased preferences, and those Dominions that have imposed surcharges on imports from the United Kingdom undertake to abolish them immediately their finances allow.

There is a general provision whereby, if the Empire Governments find that their mutual preferences are frustrated by foreign state action, in the case of any class of commodity the entry into the Empire of such a commodity will be prohibited.

The United Kingdom Government undertakes that the present general "ad valorem" duty on foreign goods shall not be reduced without the consent of some of the Dominion Governments.

DUTY ON DAIRY PRODUCE

The main duties to be imposed on foreign goods entering the United Kingdom are on dairy produce such as butter 15s. per cwt., cheese (15 per cent. "ad valorem") 2s. per quarter, maize 10 per cent. "ad valorem," and copper 2d. per pound. Empire dairy produce will enter free into the United Kingdom for three years. There may be changes thereafter.

AGREEMENT WITH AUSTRALIA

The agreements between the United Kingdom and Australia and New Zealand provide for an increase of the wholesale prices of frozen meat in the United Kingdom, because the present level of prices has resulted in grave depression in lives stock industries in the United Kingdom and Dominions, which, if continued, would cause a serious decline of production and consequent ultimate injury to the consumer. The meat policy of the United Kingdom Government is first to secure development of home production, and, secondly, give the Dominions an expanding share of imports into the United Kingdom.

Australia agrees to limit the export of frozen mutton and lamb to the United Kingdom, in 1933, to the total for the year ending June 30, 1932. In return for this the United Kingdom undertakes to regulate the importation of foreign meat. An article in the agreements provides that benefits

generally shall accrue, to non-self-governing colonies and protectorates, of free entry into the United Kingdom for three years, of all dairy produce. The condition is also embodied, that all agreements shall run for a quinquennium and be subject to six months' renunciation.

ANGLO-CANADIAN AGREEMENT

The Anglo-Canadian agreement provides for the free entry into the United Kingdom, for three years of Canadian dairy produce, but the United Kingdom Government may thereafter impose a duty if the interests of the United Kingdom producers demand it.

The United Kingdom Government undertakes to impose the following duties: Foreign wheat in grain 2s. per quarter; butter 15s. per cwt.; cheese 15 per cent. "ad valorem", apples, raw 4s. 6d. per cwt.; apples canned 3s. 6d. per cwt., in addition to the duty in respect of the sugar content; eggs in shell from 1s. to 1s. 9d. per great hundred, according to the number of pounds; and copper, unwrought 2d. per lb.

The United Kingdom Government undertakes that the general "ad valorem" duty of 10 per cent. shall not be reduced, without the consent of Canada on all kinds of timber, fish, asbestos, zinc and lead. The duty on wheat in grain, copper, zinc, and lead, may be removed if Empire producers are unable or unwilling to offer them on the first sale to the United Kingdom at prices not exceeding world prices and in sufficient quantities. A maximum of 2,500 cwt. of Canadian bacon and hams will be admitted to the United Kingdom at prices not exceeding world prices and in sufficient quantities. A maximum of 2,500 cwt. of Canadian bacon and hams will be admitted to the United Kingdom duty free. The existing preference to Canadian tobacco will continue for ten years.

The schedule of preferences sets forth 220 items of the Canadian tariff in respect of which new or increased preferences are granted to the United Kingdom. The schedule covers a wide range of commodities and includes numerous items previously liable to duty, but now transferred to the free list. Unofficial understandings between iron and steel interests are used as a basis of tariff adjustments.

REASONABLE COMPETITION

Canada undertakes that her tariff shall be based on the principle that protective duties shall not exceed such a level as will give the United Kingdom producers full opportunity for reasonable competition, on the basis of relative cost, and economical and efficient production. Article 21 provides that if the United Kingdom and Canada are satisfied that mutual preferences may be frustrated through foreign state action regarding any class of commodity, they shall prohibit the entry of such commodities.

AGREEMENT WITH SOUTH AFRICA

The agreement between Britain and South Africa ensures the continuance of entry, duty free, of South African goods, but, while granting free entry to South African dairy produce for a period of three years, Britain reserves the rights thereafter, in the interests of the British producer, either to impose a preferential duty on South African produce or bring such produce within a system of quantitative regulation of supply from all sources into the United Kingdom.

Britain will introduce legislation imposing duties on foreign oranges, grape fruit, peaches, nectarines and other fruits competing with South African produce and also a 10 per cent. "ad valorem" duty on flat white maize and a duty of 2d. per pound on copper. Britain will grant preferences of 2s. per gallon on South African wines, not exceeding 27 degrees proof spirit.

Britain undertakes not to reduce the general per cent. "ad valorem" duty on certain foreign goods competing with South African products. Britain will continue the existing preference on South African tobacco for ten years. Government will make provision for the importation of South African mutton and lamb in any scheme for the quantitative regulation of imports. South Africa will introduce legislation securing preferences for a list of British goods that are not yet specified. The Anglo-South African Treaty remains in force for five years, and thereafter it can be denounced on six months' notice.

AGREEMENT WITH S. RHODESIA

The agreement between Britain and Southern Rhodesia grants free entry to Southern Rhodesian goods, subject to reservations whereby the free entry of eggs, poultry, butter, cheese and other milk products, will be continued for three years. Britain reserves the right thereafter to review the basis of preference in regard to these articles, after notifying Southern Rhodesia, the British Government either imposing a preferential duty whilst maintaining the existing preferences, or bringing the produce within any system for the quantitative regulation of supplies from all sources into the United Kingdom markets.

Tobacco will enjoy the existing margin of preference as long as the duty exceeds 2s. 0½d. per pound. Britain will endeavour to assist the marketing of South Rhodesian tobacco.

REPORT ON ECONOMIC CO-OPERATION

The report of the Committee of Economic Co-operation was adopted by the Imperial Conference.

The report provides for continuing a Committee of two members from each State of the Commonwealth to consider the whole organisation of Commonwealth agencies. South Africa and the Irish Free State opposed the idea of a permanent Empire Secretariat.

The report stresses the need for the immediate adoption of a standard specification throughout the Empire in steel, timber, chemical products and agricultural implements. It urges industrial co-operation by an early consultation between representatives of particular industries and Commonwealth Governments.

MONEY AND FINANCE COMMITTEE REPORT

The Committee on Monetary and Financial Questions of the Economic Conference at Ottawa issued its report on August 12. The report is in the form of a series of Draft Resolutions, which have been approved by the heads of delegations.

The following is the main items of the Report:

RISE OF COMMODITY PRICES

A rise throughout the world in the general levels of wholesale prices is in the highest degree desirable. The evil of falling prices must be attacked by Government and individual action in all its causes which are political, economic, financial or monetary.

For dealing with the problem in its widest aspect the Governments represented at this Conference record their conviction that international action is urgently necessary, and announce their desire to co-operate with other nations in any practicable measures for raising wholesale prices.

The Conference has considered what action can be taken by nations ot the Commonwealth to help towards raising prices.

As regards monetary factor, the Conference recognises that the central position of the United Kingdom, not only among countries of the Common-

wealth, but in world trade and finance, makes the United Kingdom a main factor in anything that can be done.

The Conference, therefore, welcomes the following statement made on behalf of the United Kingdom by the Chancellor of the Exchequer:—

"His Majesty's Government desires to see wholesale sterling prices rise. The best condition for this would be a rise in gold prices, and absence of a rise in gold prices inevitably imposes limitations on what can be done for sterling. A rise in prices cannot be effected by monetary action, since various other factors which have combined to bring about the present depression must also be modified or removed before the remedy is assured.

"His Majesty's Government, nevertheless, recognise that an ample supply of short-term money at low rates may have a valuable influence, and they are confident that efforts which have successfully brought about the present favourable monetary conditions can and will, unless they can arise, be continued".

The Conference recommends to the other countries of the Commonwealth represented here to act in conformity with the line of policy as set out in the statement of the Chancellor of the Exchequer so far as lies within their power.

STABILITY OF EXCHANGE

The Conference recognises the great importance to traders of stability of exchange rates over as wide an area as possible. The complete solution of this problem must await the restoration of conditions for the satisfactory working of an international standard as referred to below. In the meanwhile, pending such solution, this Conference has considered the possibility of achieving valuable results in two directions—firstly, by creating an area of stability among countries regulating their currencies in relation to sterling, and, secondly, by avoiding wide day-to-day fluctuations between sterling and gold.

INTERNATIONAL MONETARY STANDARD

The Conference recognises that the ultimate aim of monetary policy should be the restoration of a satisfactory international monetary standard. Such a standard should so function as not merely to maintain stable exchange between all countries, but also to ensure the smooth and efficient working of the machinery of international trade and finance.

There are, however, several conditions precedent to the re-establishment of any international monetary standard. The most important among them are: a rise in the general level of commodity prices in various countries to a height more in keeping with the level of costs, including the burden of debts and other fixed and semi-fixed charges; and an adjustment of factors, political, economic, financial and monetary, which have caused the breakdown of the gold standard in many countries and which, if not adjusted, would inevitably lead to another breakdown of whatever international standard may be adopted.

LAUSANNE CONFERENCE

The Lausanne Conference was called to find a solution of the German Reparations problem. It was evident that while the Reparations lasted, there could be no complete economic recovery. The first problem of the conference, was to bring together the three classes of countries interested in Reparations. First, Germany who only paid Reparations; secondly, Britain, France and other countries, who received the Reparations and paid war-debts; and thirdly, America who received only war debts. Both America

and Germany refused to admit the connection between Reparations and war debts. The different views of the countries attending the conference were given in the previous issue.

FIVE POWER PLAN

In the beginning of July the members of the Conference Bureau considered the terms and conditions under which Germany might make a final payment without endangering the economic recovery of Germany and the world. There was complete agreement that Reparations payments should come to an end but discussions centred round the lump sum payment to be made by Germany in the final discharge of her Reparations liability.

The figure of the German contribution to the European Reconstruction Fund was a stumbling block. The plan devised by the five interested powers included the prolongation of the moratorium for three years and thereafter until the Bank of International Settlements had determined Germany's ability to meet the annuities. It was understood that the figure of the German contribution to the Reconstruction Fund had been decided in the neighbourhood of four milliards marks.

THE OBJECTIONS

The Germans objected to three points in the Five Power Plan, namely, the amount of payment, the condition of the issue of bonds and the camouflaged safeguarding clause and demand the cancellation of the part of the Versailles Treaty dealing with Reparations including the famous "War Guilt" Clause. The German demands were firstly, that the date for the issue of the bonds must be decided by the unanimous vote of the Council of the Bank of International Settlement not merely the majority; and secondly, that the proper safeguards must be arranged for German markets and German credit in the event of the bonds being issued. They also demanded that the figure of four thousand million marks must be halved.

France clung to her demand that Germany's final payment should be 200 million pounds. Germans made some advance on their previous unwillingness to consider paying more than 100 million pounds. They were prepared to go to 120 million pounds, but this offer was subject to the acceptance of the political conditions which the French would not entertain. M. Herriot dropped an ultimatum that if the Conference did not arrive at a settlement satisfactory to France, reparations on the Young Plan would have to be continued.

Italy demanded that she should not be required to pay war debts if she received nothing from reparations. An understanding was reached in consequence of conversations between Sgr. Grandi and Mr. MacDonald which removed Italian misgivings.

BRITAIN INTERVENES

An impasse occurred which threatened to break the conference. Mr. MacDonald's efforts as a mediator at this stage proved successful. Two main points which held up the conference, namely, the German demand for the abrogation of the War-guilt clause and French demand for higher contribution to the reconstruction pool was settled as follows:

AGREEMENT SIGNED

The preamble to the agreement is worded vaguely and refers to the closing of the doors on the past. The German payment is fixed at 3,000 million marks, but will be issued at 90, thus yielding 2,700 million marks with interest at 5 per cent. The bonds will be blocked to three years. If not issued in fifteen years, the whole issue will be cancelled. The sinking fund is fixed at one per cent.

The historic agreement completed on July 9, 1932 contains a political declaration noting the end of Reparations as an earnest of further international co-operation which must be applied to economic and political spheres and rejecting all possibility of resort to arms and violence.

Five resolutions follow:

(1) Relating to German bonds of three milliard marks already cabled the proceeds therefrom to be devoted to the reconstruction fo Europe;

(2) Dealing with the transitional measures pending ratification of the agreement;

(3) Agreement of a scheme to help Austria as a first step in the reconstruction of Eastern and South-Eastern Europe;

(4) Establishing a Preparatory Committee to study European union; and

(5) Providing for a Committee of experts, to whom the United States will be invited (to add her representatives) to study the agents of the World Conference.

DISARMAMENT CONFERENCE

The first stage of the Disarmament Conference sitting in Geneva in which sixty-four countries were represented concluded on July 23.

PRESIDENT HOOVER'S PROPOSALS

The proposals of Mr. Hoover regarding disarmament were considered by the Conterence. Among his proposals were:—

(1) The armaments of the world shall be reduced by nearly one-third. (2) The adoption of the proposals made at Geneva for the abolition of all tanks, all chemical warfare, and all large-calibre guns. This would not prevent the establishment or increase of fixed fortifications of any character for the defence of frontiers and sea coasts. It would give an increased relative strength to defence as compared with attack. (3) There should be a reduction of one-third in the strength of all land armies over and above the so-called police components. (4) All bombing 'planes should be abolished This will do away with the military possession of types 'plane capable of attack upon the civil populations, and would be coupled with the total prohibition of all bombardment from the air. (5) The Treaty number and tonnage of battleships shall be reduced by one-third, that carriers and destroyers shall be reduced by one-third, and that no nation shall retain a submarine shall be reduced by one-third, and that no nation shall retain a submarine tonnage greater than 35,000 tons. (6) The relative strength of naval arms in battleships and aircraft-carriers as between the five leading naval Powers was fixed by the Treaty of Washington. The relative strength in cruisers, destroyers, and submarines was fixed as between the United States, Great Britain, and Japan by the Treaty of London. For the purpose of these proposals, it is suggested that the French and Italian strengths in cruisers and destroyers be calculated as though they had joined in the Treaty of London on the basis approximating the so-called record of March 3, 1931.

In Mr. Hoover's opinion these measures would expedite economic recovery of the world, would generate confidence by extinguishing the fear of friction arising out of armaments and would yet save the peoples of the world from 10,000,000,000 to 15 000,000,000 of wasted dollars during the next ten years.

The proposals of Mr. Hoover were well received by the Conference but it could not reach any conclusion on the details outlined.

COMPARISON OF AMERICAN AND BRITISH PROPOSALS

There was a wide measure of agreement between American and British proposals. In the naval side of the problem, however, there was a difference

of the method by which great reductions in tonnage were visible. Whereas America would effect this by reducing the number of ships, the British would obtain even greater tonnage reduction by diminishing the size of the units. In capital ships, alone, the British proposals would effect an ultimate reduction of 195,000 tons compared with the American figure of about 175,000. It was pointed out that within recent years British warships had been carrying out police duties of coasts off South America and China, in the Eastern Mediterranean and in the Red Sea and their presence might be required for the defence of the lives and property or the maintenance of order simultaneously in parts of the world far removed from one another. A definite measure of naval disarmament at least equivalent to the American proposals was nevertheless in the British view obtainable. It was also consistent with the trend of opinion at Geneva.

RESOLUTION EMBODYING POINTS OF AGREEMENT

After six months' labour, the Conference resolved to embody the several points whereon the delegations were approximately agreed so that a definite programme of work for the autumn session might be drawn up. Sir John Simon and Dr. Benes were entrusted with the drafting of the resolution.

The draft resolution, submitted to the General Commission of the Conference, gives a warm welcome to the Hoover proposals and adopts the guiding principles that the reduction of world armaments should be effected by a general convention applying alike to land, sea and air and that the primary objective must be to reduce the means of attack and that disarmament must be both qualitative and quantitative.

Regarding heavy land artillery the resolution accepts the principle that it should be limited as to the calibre in accordance with the convention to be considered later. A permanent Disarmament Commission is to be set up to enable the convention to be effectively applied.

The resolution provides for the maximum limits for coastal guns, fortress guns and mobile hand-guns.

The terms of the resolution surveys the agreements made for the limitation of land, naval and air armaments.

The agreement recommends absolute prohibition of chemical, bacteriological and incendiary warfare. Air attacks against civilian population are prohibited and the contracting parties agree between themselves to the abolition of all aerial bombardment subject to agreement upon the measures to make this rule effective. These measures will include restriction of military aircraft and submission of civil aircraft to regulation and full publicity. Certain types of civil aircraft are to be subject to international regime. The calibre of land artillery and size of tanks are limited.

The resolution also provides for the budgetary committee to continue its studies on the limitation of armaments, expenditure and the Standing Committee of the conference will draft proposals based upon its report.

Another special committtee set up under the resolution will submit proposals regarding manufacture and trade in implements of war.

The resolution provides for a bureau to continue the work of the Conference and draft proposals for strict limitation and real reduction of effectives and limitation of national defence expenditure.

The resolution invites the signatories to the naval treaties of Washington and London to confer and report to the General Commission, if possible, before the resumption of work of the conference as to the further measures feasible as part of the general disarmament programme.

FUTURE PROGRAMME

Regarding the future work of the Conference the resolution invites the Executive Committee—

Firstly, to examine the Hoover proposals relating to the effectives with a view to effecting strict limitation and reduction;

Secondly, a draft plan for limitation and publicity regarding expenditure on national defence; and

Thirdly, to establish a Committee to limit the armaments trade.

DISCUSSIONS ON THE DRAFT RESOLUTION

M. Litvinov, on behalf of the Soviet, criticised the resolution alleging that it meant postponement of any really effective decision on disarmament for six months, apparently leaving the ultimate solution to private conversations and negotiations—the method employed for the past ten years without any result. He urged reduction by one-third of Land, Air and Naval armaments and also a reduction in the size of all armies except those of small countries.

The German delegate expressed dissatisfaction with the terms of the resolution. He added that the Conference proceedings, and notably the conversations during the last few days, had given an impression that the necessary conditions of equality were not yet understood or admitted by all the Governments. The German Government's collaboration was not possible unless the future work of the Conference developed upon the basis of a clear-cut recognition of equality of rights among the nations.

M. Herriot in supporting the resolution, promised ten per cent. reduction in French military expenditure when the security of the world was guaranteed on an international scale.

The Italian Delegation, said that they did not consider that the resolution was an effective declaration of good-will in favour of a real reduction in armaments.

RESOLUTION CARRIED

The resolution was adopted by the General Committee on July 23 by 41 votes to two, with eight abstentions. Germany and Russia opposed the resolution while Italy was amongst those remaining neutral.

IRISH SITUATION

The Anglo-Irish controversy over the payment of Land Annuities by Ireland to England continued to engage the attention of the Governments of the contending countries. The main points of dispute were recorded in the preceding volume in which an account of the situation up to the end of June, 1932 was given.

During the quarter under review the British Government insisted upon the submission of the controversy to the arbitration of an Empire tribunal in accordance with the recommendations agreed to at the Imperial Conference of 1930. The Irish Government in a despatch dated July 4, 1932 while agreeing in principle with the British offer of arbitration, refused definitely to the Commonwealth Tribunal proposed by the British Government. The Note declared that that was dragging the Dominions into a dispute in which they were not affected. The Note added that the Government of the Free State disputed the claims of the British Government not only in regard to land purchase annuities, but to all other annual or periodical payments, except those made in pursuance of agreements formally made by the Parliaments of both States.

The British Chancellor of the Exchequer budgetted for the receipt of 3 million pounds from the annuities during 1932-33. The Irish Govern-

ment contending that they had no obligation to pay it, the British Government was obliged out of their own resources to find money due to the lenders. The British Government therefore protected its budgetary position by imposing certain duties on Irish imports to make up the loss. The third reading of the Irish Free State Special Duties Bill, empowering the Government to levy duties not exceeding 100 per cent., over and above any other duty or customs chargeable, was passed on July 8. It was added in connection with the passage of the Bill that if Mr. de Valera accepted the British conditions for an Empire Tribunal, Government would not operate the Bill. In the absence of any communications from the Free State, a treasury order was issued on July 12 imposing a duty of 20 per cent. ad valorem on foodstuff with effect from July 14.

In the meantime Mr. de Valera expressed anxiety on July 12 to secure arbitration on the Anglo-Irish question as soon as possible and to bring the economic war between Ireland and Britain to an end. As a result of negotiations Mr. de Valera was invited over the phone to London to discuss the situation with a view to settlement. The negotiations were re-opened. The Free State Government offered the arbitration to a body of four, two to be appointed by the Irish Free State Government and two by the British Government. When the four had drafted their reports, the Governments were to negotiate. The British Government were willing for arbitration by a specially set up body for further discussion as to whether direct contact could be maintained between Governments on the means of finding a settlement on the financial questions at issue. They proposed that the present situation or deadlock should be treated in the way in which money disputes are often treated in a law court; that is, that the payments contested should be made pending decision, with the undertaking that even these payments should be subject to any ultimate settlement. They proposed that, upon agreement as to the terms of reference for the arbitration or as to further discussion and upon payment of the money involved, all present action should be suspended, including the collections of revenue by way of special customs. They were prepared as soon as they received a communication from the Irish Free State Government to these effects to enter at once into such an agreement.

The negotiations however failed. The imposition of duties against Irish food products drove Ireland to seek alternative markets. With this end in view the Dail passed the Emergency Duties Bill as a measure of self-defence. It proposed among others the levy of a 20 per cent. duty against British coal, cement, electrical apparatus, iron, steel and sugar. The Free State Government simultaneously took measure to protect the Free State pig and cheese industries and wanted to adopt constructive steps to find markets for the Irish products and organise the home market.

NEWS OF THE QUARTER

TERRORIST OUTRAGES

ATTEMPTS ON THE LIFE OF SIR ALFRED

Two attempts were made on the life of Sir Alfred Watson, editor of the Statesman. The first outrage was perpetrated shortly after 3 o'clock on August 5, 1932 when Sir Alfred was returning to the Office in his car after lunch. As his car turned into the gateway, a Bengali young man of about 20 or 22 years of age, said to be Atul Kumar Sen of village Senhati in the district of Khulna, suddenly jumped on the foot-board of the car and fired at Sir Alfred. Fortunately the car bumped at the critical moment and the bullet grazed Sir Alfred's right temple and smashed a window screen. The assailant was seized by the office durwan but before being overpowered he managed to take poison and committed suicide.

The second attempt was made on September 28, 1932. When Sir Alfred was driving along Strand Road at about 6-30 p.m., another car with three Bengalees drove up from behind and pulling up by Sir Alfred's car, opened fire hitting him twice in the shoulder. His driver was also hit in the shoulder while a bullet hit the palm of his Secretary who accompanied him. After the outrage the assailants drove at a high speed resulting in a collision with a telegraph post. Two of the assailants committed suicide while the third man escaped in another motor car.

PAHARTALI OUTRAGE

The outrage on the Europeans at the Assam Bengal Railway European Club, called Pahartali Institute, was committed on September 24, 1932 at 11 p.m. when a social gathering was being held. Twelve persons fell upon the Club with bombs, revolvers and rifles. As a result of this eight men and five women were wounded, of whom the wounds of five were reported to be serious. Mrs. Sullivan, a lady aged about 60, was killed on the spot. The raiders all escaped except one woman named Miss Pritilata Wadadar B.A., in male attire, who was found lying dead with a superficial wound in the breast at some distance from the Club. She probably committed suicide by taking poison. Red leaflets, some of which were pasted all over the town that night threatening the Europeans with dire consequences, were found with her.

MESSRS. ELLISON AND GRASSBY SHOT AT

Mr. E. B. Ellison Additional Superintendent of Police, Tipperah, was shot at on July 29, while returning on a bike from his office to his bungalow. He received one shot on his arm, another in the abdomen and a third on the back. His bodyguard replied with revolver shots. The assailant however, escaped. Mr. Ellison was wounded, the bullet piercing his back and lodging in the abdomen. One youth was arrested on suspicion. Mr. Ellison subsequently succumbed to the injury.

Mr. C. G. Grassby, Additional Superintendent of Police, Dacca, was shot at in Dacca on August 22, 1932 by a Bengali youth. The alleged assailant who was subsequently identified as Benoy Bhusan Roy of Kahet Tuli was arrested after a hot chase with a bomb and a revolver containing six cartridges. During the chase the assailant was fired at and received three bullet wounds, one in the leg and two in the thighs. The condition of Mr. Grassby who was hit in the arm was not serious.

EDUCATIONAL

The Senate of the Calcutta University adopted on August 13 the report of the Matriculation Regulations Committee with certain modifications. The principal recommendations of the Committee were incorporated in the previous volume. The Senate accepted the following amendments:—

(1) It was decided to divide half and half the hundred marks for 'History of India and Geography' compulsory paper and not give 60 marks to 'History of India' and 40 to Geography, as suggested in the Report.

(2) The Senate decided to eliminate the subject of "Elements of Public Administration in India" from the list of subjects which candidates who have taken up a major vernacular may, if they so desire, take up.

(3) The Senate decided that no school would be allowed to present candidates in any subject which requires practical training unless the Syndicate was satisfied that suitable arrangements had been made for practical training.

(4) Another modification accepted by the Senate was that English History should form a part of the History Paper and not of the English Paper, as suggested in the Report of the Committee. It was further decided that English History with 50 marks allotted to it should be taken out from the English Paper and form part of the History Paper. The consequent distribution of marks and papers would be as follows:—Two and half papers for English carrying 250 marks (instead of 300 suggested in the Committee Report): One and half paper for History and Geography of which 60 marks would be allotted to History of India, 40 to History of England with 50 marks for a half paper in Geography.

COLLECTIVE FINE

The Government of Bombay started recovering the collective fines that they imposed on the citizens of Sholapur through the Municipality for the riots that had occured in 1930 during the first Civil Disobedience movement. The sum to be recovered is Rs. 1,81,671. Government have decided to recover this amount only from the Hindu residents of Sholapur. Government servants are exempt.

Collective fines were also imposed on the inhabitants of Bettiah, Masuria (Midnapur) and Chittagong as they were stated to have been concerned with harbouring persons who were concerned in the commission of offences prejudicial to public peace. Details about the Chittagong fines appear on page 414.

PRESS SECURITY FORFEITED

Two orders under Clause D of Section 4 (1) of the Indian Press Act of 1931, forfeiting in all Rs. 6000 were served on July 23 on Mr. D. N. Nadkarni, one in his capacity as the keeper of the "Free Press Bulletin Press" and the other as the publisher of the "Free Press Journal," each declaring forfeited to His Majesty the security of Rs. 3000 deposited by him on June 24 last.

This action was taken in respect of the editorial appearing in the "Free Press Journal" of July 3 under caption "Swaraj the only remedy."

INDIAN LEAGUE DELEGATION

A delegation of the Indian League in London, consisting of Miss Wilkinson, Ex-M.P., Miss Monica Whately, Mr. Leonard Matters and Mr. Krishna Menon, Secretary landed in Bombay on August 17. The object of the visit was to meet Indian men and women representing all shades of opinion in

India both Indian and British, and to acquaint themselves with Indian affairs at first hand and to carry on a campaign in England with a view to create healthy public opinion. The Delegation proposed to issue a joint report on their arrival in England.

The degation during their stay in India did not make public speeches nor give interviews to the Press. But the gravity of the situation arising out of the determination of Mahatmaji to fast unto death and the wide agitation in the country subsequent to this resolve, impelled the Delegation to urge for the immediate release of Mahatma Gandhi and his colleagues to enable free consultation and negotiation. The Delegation further added:

"First hand knowledge of villages and industrial areas in all provinces peopled by untouchables convinces us of the unquestioned confidence of the masses including the depressed classes in Mahatma Gandhi's leadership. The removal of Mahatma Gandhi means the disappearance of the Greatest Force working for moderation, peace and friendship towards Britain."

GOVERNMENT LOAN 1940-43

Subscriptions for an issue of 5 per cent Loan of the nominal value of Rs. 25 crores were invited from August 17, 1932. The loan was issued at Rs. 98 per cent. and was repayable at par not earlier than 1940 and not later than 1943. The total subscriptions to the loans amounted to thirty crores and three lakhs of rupees. The subscriptions were as follows:—

In cash, Rupees nine crores forty-three lakhs.

By tender of 1933 bonds Rupees ten crores forty one lakhs.

By tender of 1933-36 bonds Rupees ten crores nineteen lakhs.

INDIAN MILITARY ACADEMY

The first competitive examination for entrance to Indian Military Academy at Dehra Dun was held at Delhi on 14th July and subsequent days. Successful candidates were required to join the Indian Military Academy, Dehra Dun, for the term commencing first October, 1932. Names of Indian Army Cadets and Indian States Forces Cadets selected to join Indian Military Academy for the same term, it was understood, would be announced shortly.

It has, been decided, to confer upon cadets passing out from the Indian Military Academy and also upon entrants to the Indian Air Force, commissions in His Majesty's Indian land forces and His Majesty's Indian Air Force respectively in similar form, for instance, to those now granted to officers of the Canadian forces. These commissions will be issued in the name of His Majesty and on his behalf by the Governor-General.

The following initial rates of pay have been provisionally sanctioned for officers commissioned from the Indian Military Academy who enter the Academy in 1932 or 1933 and for officers of the Indian Air Force who enter Cranwell as cadets during 1933 or earlier on the understanding that if lower rates are ultimately fixed these officers will continue to draw the higher rates until the difference is absorbed by increments.

Second Lieutenants in the Army: Rs. 300 for mensem.

Pilot officers in the Indian Air Force Rs. 385 per mensem (the addition in the latter case is designed to cover flying ranks).

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